

AGENDA

BOARD OF MAYOR AND ALDERMEN

September 5, 2006

**7:30 PM
Aldermanic Chambers
City Hall (3rd Floor)**

1. Mayor Guinta calls the meeting to order.
2. The Clerk calls the roll.
3. Special presentation by Dobles Chevrolet.
4. Presentation of Arts Award.
5. Presentation of Bright Ideas Extraordinary Service Awards to Highway Department employees Richard Robillard and James Doherty for their heroic efforts in entering 380 and 382 Merrimack Street on Wednesday, August 9th to alert residents of a fire.

CONSENT AGENDA

6. Mayor Guinta advises if you desire to remove any of the following items from the Consent Agenda, please so indicate. If none of the items are to be removed, one motion only will be taken at the conclusion of the presentation.

Ratify and Confirm Poll Conducted

- A. On August 21, 2006 approving the transfer of \$4,717 from Contingency to Human Resources for the Bright Ideas Extraordinary Service Awards.
(Aldermen Roy, Long, Duval Osborne, Pinard, Lopez, Shea, DeVries, Garrity, Smith, Thibault and Forest voted yea; Alderman Gatsas abstained; Alderman O'Neil was unavailable.)

Accept BMA Minutes

- B.** Minutes of BMA meetings held on May 16, 2006 (two meetings) and June 6, 2006 (two meetings).
(Available for viewing at the Office of the City Clerk and previously forwarded under separate cover to Mayor and Aldermen.)

Approve under Supervision of the Department of Highways

- C.** PSNH Petition #12-254 located on McGregor Street;
Verizon Petition #4AAEKZ located on Granite Street;
Verizon Petition #4AAF3V located on McGregor and Foundry Streets; and
Verizon Petition #4AAF3N located on Moore Street.

Informational – to be Received and Filed

- D.** Minutes of the Mayor's Utility Coordinating Committee meeting held on July 19, 2006.
- E.** Minutes of the MTA Commission meeting held on June 27, 2006 and the Financial and Ridership Reports for the month of June 2006.
- F.** Communication from the NH Department of Environmental Services advising of the passage of HB1455 relative to the Electronics Waste Bill.
- G.** Communication from the NH Office of Energy and Planning advising of the recent public workshops held on June 7, 2006 regarding the newly updated Flood Insurance Rate Maps proposed to become effective in May 2007.
- H.** Communication from Chuck Hungler relative to the Manchester Employees' Contributory Retirement System authority to bind the City for COLA's without BMA approval and the health subsidy as it relates to part-time employees.

REFERRALS TO COMMITTEES

COMMITTEE ON BILLS ON SECOND READING

I. Ordinance:

“Amending Sections 33.024, 33.025, & 33.026 (Systems/ Programming Manager-Systems/Development Manager, Computer Programmer-Applications Developer/Analyst) of the Code of Ordinances of the City of Manchester.”

“Amending Section 33.062 (D), Part-Time Employees, of the Code of Ordinances of the City of Manchester.”

COMMITTEE ON FINANCE

J. Bond Resolution:

“Authorizing Bonds, Notes or Lease Purchases in the amount of Four Hundred Thousand Dollars (\$400,000) for the 2007 CIP 511207, Derryfield Country Club Rehabilitation Project.”

K. Resolutions:

“Amending the FY2007 Community Improvement Program, authorizing and appropriating funds in the amount of Four Thousand Five Hundred Dollars (\$4,500) for the FY2007 CIP 214007 Southern NH Area Health Education Center Program.”

“Amending the FY2007 Community Improvement Program, authorizing and appropriating funds in the amount of five Thousand Five Hundred Thirty Nine Dollars (\$5,539) for the FY2007 CIP 410507 Justice Assistance Grant Program.”

“Amending the FY2007 Community Improvement Program, authorizing and appropriating funds in the amount of One Thousand Dollars (\$1,000) for FY2007 CIP 510407 Fun In The Sun Program.”

“Amending the FY2007 Community Improvement Program, authorizing and appropriating funds in the amount of Thirty Thousand Dollars (\$30,000.00) for the 2007 CIP 511507 Bass Island-Blacksmith Shop Environmental Site Assessment Project.”

“Amending the FY2005 and FY2007 Community Improvement Programs, transferring, authorizing and appropriating funds in the amount of Forty Four Thousand Two Hundred Sixty Nine Dollars and Forty Two Cents (\$44,269.42) for the FY2007 CIP 610407 Housing Rehab/Lead Hazard Control Program.”

“Amending the FY2007 Community Improvement Program, authorizing and appropriating funds in the amount of Eleven Million Eight Hundred Sixty Eight Thousand Dollars (\$11,868,000) for FY2007 CIP 712907 Granite Street Widening Project.”

“Amending the FY2003 and 2007 Community Improvement Program, transferring, authorizing and appropriating funds in the amount of Forty Thousand Dollars (\$40,000.00) for the 2007 CIP 511407 Black Brook Dam Removal Engineering Project.”

“Authorizing the Finance Officer to effect a transfer of Forty Thousand Dollars (\$40,000) for the 2007 CIP 511407 Black Brook Dam Removal Engineering Project.”

“Authorizing the Finance Officer to effect a transfer of Four Thousand Seven Hundred and Seventeen dollars (\$4,717) from Contingency to Highway – Regular Salary.”

REPORTS OF COMMITTEES

COMMITTEE ON BILLS ON SECOND READING

L. Recommending that Ordinance:

“Authorizing the Mayor to dispose of certain tax deeded property located at Map 0732, Lot 0010-A, known as L. Chenette Ave.”

ought to pass.

(Unanimous vote)

M. Recommending that Ordinance:

“Amending the Code of Ordinances of the City of Manchester by repealing Chapter 94: Noise Regulations in its entirety and inserting a new Chapter 94: Noise Regulations.”

ought to pass.

(Aldermen Duval, Lopez, Garrity, and Pinard recorded in favor; Alderman Gatsas opposed.)

The Committee notes that it has requested the Committee on Administration to review the Noise Ordinance as it relates to noise levels, and to consider consistency with State law in that review.

(Unanimous vote on this request.)

N. Recommending that Ordinance:

“Amending the Zoning Ordinance of the City of Manchester by extending the R-SM (Residential Suburban Multi-Family) zone district to include property currently zoned IND (Industrial) located on the south side of Holt Avenue between East Industrial Park Drive and Waverly Street and known as Tax Map 716, Lot 38.”

ought to pass.

The Committee notes that it has requested the Director of Planning to provide a report to the full Board regarding potential drainage issues.

(Note: such report from the Director of Planning enclosed.)

(Unanimous vote)

O. Recommending that Ordinance:

“Amending the Zoning Ordinance of the City of Manchester by extending the B-2 (General Business) zoning district to include property currently zoned IND (Industrial) located on the south side of Gold Street east of the former Lawrence Branch of the B&M Railroad and including the following three lots Tax Map 875-14, 875-15, 875-16.”

ought to pass.

(Aldermen Duval, Lopez, Garrity, and Pinard recorded in favor; Alderman Gatsas opposed.)

P. Recommending that Ordinance:

“Amending the Zoning Ordinance of the City of Manchester by extending the R-3 (Urban Multi-family) zoning district to include property currently zoned R-1B (Single-family) located on a portion of Tax Map 691, Lot 143-1 that will be on the north side of a proposed Gold Street Bypass and adjacent to Bradley Street and the New St. Augustin’s Cemetery.”

ought to pass.

(Aldermen Duval, Lopez, Garrity and Pinard record in favor; Alderman Gatsas opposed.)

Q. Recommending that Ordinances:

“Amending the Zoning Ordinance of the City of Manchester by revising the CV (Conservation) zoning district boundary along the Piscataquog River.

“Amending the Zoning Ordinance of the City of Manchester by changing the expiration period of variances, special exceptions, and conditional use permits in Article 15.03 to be consistent with the expiration period in Article 14.02.”

“Amending the Zoning Ordinance of the City of Manchester by inserting additional language into Article 6.10 Special Lot sizes in the R-2 District for clarification and consistency with the original intent of the special lot sizes in this district.”

“Amending the Zoning Ordinance of the City of Manchester by revising the definition of Lot width in Article 3.03 Definition of Terms.”

ought to pass.

(Aldermen Duval, Gatsas, Garrity and Pinard voted yea; Alderman Lopez was absent.)

R. Recommending that Ordinance:

“Amending the Zoning Ordinance of the City of Manchester by adding language to Article 10.06(C) regarding required loading spaces.”

ought to pass.

(Aldermen Duval, Garrity and Pinard voted yea; Alderman Gatsas voted nay; Alderman Lopez was absent.)

S. Recommending that Ordinance:

“Amending the Building Code of the City of Manchester as adopted in Section 151.01 of the City of Manchester Code of Ordinances by repealing the 1999 National Electrical Code and adopting the 2005 edition of the National Electrical Code.”

ought to pass.

(Aldermen Duval, Gatsas, Garrity and Pinard voted yea; Alderman Lopez was absent.)

T. Recommending that the Design Guidelines for the Arena Overlay District, enclosed herein, be approved.

(Aldermen Duval, Gatsas, Garrity and Pinard voted yea; Alderman Lopez was absent.)

COMMITTEE ON COMMUNITY IMPROVEMENT

- U. Recommending that the Board authorize acceptance and expenditure of funds as follows:
- a) \$4,500 for FY2007 CIP 214007 Southern NH Area Health Education Center Program;
 - b) \$5,539 for FY2007 CIP 410507 Justice Assistance Grant Program;
 - c) \$1,000 for FY2007 CIP 510407 Fun In The Sun Program;
 - d) \$30,000 for FY2007 CIP 511507 Bass Island-Blacksmith Shop Environmental Site Assessment Project; and
 - e) \$44,269.42 for FY2007 CIP 610407 Housing Rehab/Lead Hazard Control Program;
- and for such purpose resolutions and budget authorizations have been submitted.
(Unanimous vote)
- V. Recommending that the Board authorize transfer and expenditure of funds in the amount of \$40,000 for the 2007 CIP 511407 Black Brook Dam Removal Engineering Project, subject to all funds being identified, and for such purpose resolutions and budget authorizations have been submitted.
(Unanimous vote)
- W. Recommending that the Board authorize acceptance and expenditure of funds in the amount of \$11,868,000 for the FY2007 CIP 712907 Granite Street Widening Project, and for such purpose a resolution and budget authorization has been submitted.
(Unanimous vote)
- X. Recommending that CIP #411504 Fire Emergency Management Planning be extended until December 31, 2006.
(Unanimous vote)
- Y. Recommending that a petition to discontinue Allard Drive (formerly known as North Turner Street), Chagnon Street, Lumber Lane, and Douglas Street be referred to a Road Hearing to be held on Monday, October 16, 2006 at 6 PM in the Aldermanic Chambers of City Hall.
(Unanimous vote)
- Z. Recommending that a petition to discontinue a portion of West Mitchell Street be referred to a Road Hearing to be held on Monday, October 16, 2006 at 6 PM in the Aldermanic Chambers of City Hall.
(Unanimous vote)

- AA.** Recommending that with regard to a petition for the release and discharge of a portion of Eugene Street, the Board find that the subject area of the petition having never been opened, built, nor used for public travel be released and discharged pursuant to RSA 231:51.
(Unanimous vote)
- AB.** Recommending that with regard to a petition for the release and discharge of a portion of Wolcott Street, the Board find that the subject area of the petition having never been opened, built, nor used for public travel be released and discharged pursuant to RSA 231:51.
(Unanimous vote)
- AC.** Advising that they have approved a request of the Deputy Public Works Director to recycle some of the used police cruisers into the existing fleet.
(Unanimous vote)

COMMITTEE ON HUMAN RESOURCES/INSURANCE

- AD.** Advising that it has approved Ordinances:

“Amending Section 33.054 (B) (2) (Overtime Compensation/Comp Time) of the Code of Ordinances of the City of Manchester.”

“Amending Section 33.076 (A), Special Leave of the Code of Ordinances of the City of Manchester.”

“Amending Section 33.080 (A) (1) Military Service, of the Code of Ordinances of the City of Manchester.”

and is recommending same be referred to the Committee on Bills on Second Reading for technical review.

(Aldermen Gatsas, Shea, Pinard and Duval voted yea; Alderman Garrity was absent.)

- AE.** Recommending that a request for reclassification and updates to positions in the Information Systems Department be approved as follows:

Computer Operator II

Update content of class specification; no change in salary,

Web Services Administrator

Update content of class specification; no change in salary.

Systems/Programming Manager

Update content of class specifications; no change in salary, change title to Systems/Development Manager.

Computer Programmer

Update content of class specification; increase salary from Grade 18 to Grade 19, and change title to Applications Development/Analyst.

Computer Programmer/Analyst

Update content of class specification, no change in salary, change title to Senior Applications Developer/Analyst.

For such purpose ordinances have been submitted for referral and adoption as appropriate.

(Aldermen Gatsas, Shea, Pinard, Duval in favor; Alderman Garrity absent.)

AF. Advising that it has approved Ordinance:

“Amending Section 33.062 (D), Part-Time Employees, of the Code of Ordinances of the City of Manchester.”

establishing minimum hours for part-time employees relating to the retirement and health insurance program as enclosed herein, and recommends same be referred to the Committee on Bills on Second Reading for technical review.

(Aldermen Gatsas, Shea, Pinard, Duval in favor; Alderman Garrity absent.)

COMMITTEE ON JOINT SCHOOL BUILDINGS

AG. Advising that it has accepted the School Facilities Improvement Project Report for the month of August 2006 and is forwarding same to the Board for informational purposes.

(School Committee Members Beaudry and Gelinas, Aldermen Thibault, Roy and Long voted yea; School Committee Member Herbert was absent.)

AH. Advising that it has approved an estimated expenditure of \$940.00 from the School Facilities Improvement Project contingency for scraping, priming and painting the dust collection cyclone at Manchester Memorial High School, subject to review and determination by the City Finance Officer that such expenditure is allowable within the scope of the related bond.

(School board Members Beaudry and Gelinas, Aldermen Thibault and Roy voted yea; Alderman Long voted nay; School Board Member Herbert was absent.)

- AI.** Advising that it has reduced the amount for committee review of project change orders for the Design/Build project contingency from \$25,000 to \$2,500.
(School Committee Members Beaudry and Gelinas, Aldermen Thibault, Roy and Long voted year; School Committee Member Herbert was absent.)

COMMITTEE ON LANDS AND BUILDINGS

- AJ.** Recommending that the former site of the Weston Street Fire Station be transferred from the Fire Department to the Parks, Recreation and Cemetery Department, and that such land be designated City parkland.

The Committee further recommends that the Board approve conceptual plans to dedicate such park as the Firefighters Memorial Park to be stewarded through a neighborhood association consisting of members from the community in conjunction with the Parks, Recreation and Cemetery Department.

(Aldermen Thibault, Smith, Roy and Long voted yea; Alderman Forest was absent.)

- AK.** Advising that it has directed staff to negotiate with Amoskeag Industries with regard to disposition of the Ash Street School property.

The Committee notes that it has found the property surplus to City needs and has requested staff to return to the Committee with a proposed agreement between the City and Amoskeag Industries relating to current deed restrictions of such property; and to consider future deed restrictions relating to the historic building thereon.

(Aldermen Thibault, Smith, Roy and Long voted yea; Alderman Forest was absent.)

COMMITTEE ON PUBLIC SAFETY AND TRAFFIC

- AL.** Recommending that a request from Intown Manchester to allow free parking downtown on Wednesday, September 13, 2006 from 5 PM until 8 PM for their Taste of Downtown Manchester event be approved.

(Unanimous vote)

- AM.** Recommending that the Board support the recommendation that 10 new police officers be added to the Police Department's complement over the next two years.

(Unanimous vote)

- AN.** Advising that it has requested the Police Department administration work with the Human Resources Director to review pay and benefits, comparing with other New Hampshire and New England areas, and look at what is attracting certified officers to other areas, and report back to the Committee.
- AO.** Recommending that regulations governing standing, stopping, parking and operations of vehicles be adopted and put into effect when duly advertised and posted.
(Unanimous vote)

**LADIES AND GENTLEMEN, HAVING READ THE CONSENT AGENDA,
A MOTION WOULD BE IN ORDER THAT THE CONSENT AGENDA BE
APPROVED.**

7. Nominations to be presented by Mayor Guinta, if available.
8. Confirmation of the nomination of A. Joseph Dion to fill a vacancy as an alternate members of the Heritage Commission, term to expire January 1, 2008.
A motion is in order to confirm the nomination as presented.
9. Confirmation of the nomination of William Meehan, DMD to succeed Nicholas Skaperdas, DMD as a member of the Board of Health, term to expire July 1, 2009.
A motion is in order to confirm the nomination as presented.
10. Report(s) of the Committee on Community Improvement, if available.
Ladies and Gentlemen, what is your pleasure?
11. Mayor Guinta advises that a motion is in order to recess the regular meeting to allow the Committee on Finance to meet.
12. Mayor Guinta calls the meeting back to order.

OTHER BUSINESS

13. Report(s) of the Committee on Finance, if available.
Ladies and Gentlemen, what is your pleasure?

14. Report(s) of the Committee on Human Resources/Insurance, if available.
Ladies and Gentlemen, what is your pleasure?

15. Report(s) of the Committee on Lands and Buildings, if available.
Ladies and Gentlemen, what is your pleasure?

16. State Legislative updated presented by Mayor Guinta, if available.

17. Ordinances: **(A motion is in order to read by titles only.)**

“Authorizing the Mayor to dispose of certain tax deeded property located at Map 0732, Lot 0010-A, known as L. Chenette Ave.”

“Amending the Code of Ordinances of the City of Manchester by repealing Chapter 94: Noise Regulations in its entirety and inserting a new Chapter 94: Noise Regulations.”

“Amending the Zoning Ordinance of the City of Manchester by extending the R-SM (Residential Suburban Multi-Family) zone district to include property currently zoned IND (Industrial) located on the south side of Holt Avenue between East Industrial Park Drive and Waverly Street and known as Tax Map 716, Lot 38.”

“Amending the Zoning Ordinance of the City of Manchester by extending the B-2 (General Business) zoning district to include property currently zoned IND (Industrial) located on the south side of Gold Street east of the former Lawrence Branch of the B&M Railroad and including the following three lots Tax Map 875-14, 875-15, 875-16.”

“Amending the Zoning Ordinance of the City of Manchester by extending the R-3 (Urban Multi-family) zoning district to include property currently zoned R-1B (Single-family) located on a portion of Tax Map 691, Lot 143-1 that will be on the north side of a proposed Gold Street Bypass and adjacent to Bradley Street and the New St. Augustin’s Cemetery.”

“Amending the Zoning Ordinance of the City of Manchester by revising the CV (Conservation) zoning district boundary along the Piscataquog River.

“Amending the Zoning Ordinance of the City of Manchester by changing the expiration period of variances, special exceptions, and conditional use permits in Article 15.03 to be consistent with the expiration period in Article 14.02.”

“Amending the Zoning Ordinance of the City of Manchester by inserting additional language into Article 6.10 Special Lot sizes in the R-2 District for clarification and consistency with the original intent of the special lot sizes in this district.”

“Amending the Zoning Ordinance of the City of Manchester by revising the definition of Lot width in Article 3.03 Definition of Terms.”

“Amending the Zoning Ordinance of the City of Manchester by adding language to Article 10.06(C) regarding required loading spaces.”

“Amending the Building Code of the City of Manchester as adopted in Section 151.01 of the City of Manchester Code of Ordinances by repealing the 1999 National Electrical Code and adopting the 2005 edition of the National Electrical Code.”

These Ordinances having had their second reading by titles only, the question is on passing same to be Enrolled.

18. Mayor Guinta advises that a motion is in order to recess the regular meeting to allow the Committee on Accounts, Enrollment and Revenue Administration to meet.
19. Mayor Guinta calls the meeting back to order.
20. Report of the Committee on Accounts, Enrollment and Revenue Administration, if available.
Ladies and Gentlemen, what is your pleasure?

21. Communication from Alderman Garrity requesting that the refurbished Calef Road Park be named in honor of Christopher Sullivan a lifelong resident of Ward 9.

Ladies and Gentlemen, what is your pleasure?

22. Communication from Leo R. Bernier, City Clerk, requesting the Board set polling hours for the State General Election scheduled for Tuesday, November 7, 2006 from 6 AM until 7 PM.

Ladies and Gentlemen, what is your pleasure?

23. Communication from Leo R. Bernier, City Clerk, requesting permission to apply for a \$8,141 grant to fund the restoration of eight (8) volumes of Birth, Marriage and Death records, 1882-1919.

Ladies and Gentlemen, what is your pleasure?

24. Communication from Carol Johnson, Deputy City Clerk, submitting on behalf of Chief Jaskolka, a return of Warrant for Non-Renewal of Dog License pursuant to RSA 466:16.

Ladies and Gentlemen, what is your pleasure?

25. Communication from Paul Martineau, Welfare Commissioner, submitting updated Welfare Guidelines for adoption pursuant to RSA 165:1(II).
(Available for viewing at the Office of the City Clerk and forwarded under separate cover to Mayor and Aldermen.)

Ladies and Gentlemen, what is your pleasure?

26. Communication from the Manchester Police Relief Association requesting a donation towards this year's fundraiser.

Ladies and Gentlemen, what is your pleasure?

27. Communication from Attorney Andrew Sullivan, on behalf of Ronald and Diane St. Hilaire and JAMCO, Inc., requesting the Board vote and affirm that pursuant to RSA 674:41 (I) (d) (1), issuance of building permits on Corson Street, a private way, is authorized.
(Note: communication from Kevin McCue, Chairman of the Manchester Planning Board, advising of the Planning's Board recommendation that the BMA not authorize building permits on Corson Street, a private way.)

Ladies and Gentlemen, what is your pleasure?

28. Ordinance: (A motion is in order to read by title only.)

“Amending Section 33.026 (Computer Operator II & Web Services Administrator) of the Code of Ordinances of the City of Manchester.”

This Ordinance having had the approval of the Human Resources Committee, if the related report has been accepted, a motion is in order that the Ordinance pass and be Ordained.

29. Ordinances: (A motion is in order to read by titles only.)

“Authorizing the Mayor to dispose of certain tax deeded property located at Map 0732, Lot 0010-A, known as L. Chenette Ave.”

“Amending the Code of Ordinances of the City of Manchester by repealing Chapter 94: Noise Regulations in its entirety and inserting a new Chapter 94: Noise Regulations.”

“Amending the Zoning Ordinance of the City of Manchester by extending the R-SM (Residential Suburban Multi-Family) zone district to include property currently zoned IND (Industrial) located on the south side of Holt Avenue between East Industrial Park Drive and Waverly Street and known as Tax Map 716, Lot 38.”

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“Amending the Zoning Ordinance of the City of Manchester by extending the R-3 (Urban Multi-family) zoning district to include property currently zoned R-1B (Single-family) located on a portion of Tax Map 691, Lot 143-1 that will be on the north side of a proposed Gold Street Bypass and adjacent to Bradley Street and the New St. Augustin’s Cemetery.”

“Amending the Zoning Ordinance of the City of Manchester by revising the CV (Conservation) zoning district boundary along the Piscataquog River.

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“Amending the Zoning Ordinance of the City of Manchester by revising the definition of Lot width in Article 3.03 Definition of Terms.”

“Amending the Zoning Ordinance of the City of Manchester by adding language to Article 10.06(C) regarding required loading spaces.”

“Amending the Building Code of the City of Manchester as adopted in Section 151.01 of the City of Manchester Code of Ordinances by repealing the 1999 National Electrical Code and adopting the 2005 edition of the National Electrical Code.”

These Ordinances having had their third and final reading by titles only, the question is on passing same to be Ordained.

30. Bond Resolutions: (A motion is in order to read by titles only.)

“Authorizing Bonds, Notes or Lease Purchases in the amount of One Million Seven Hundred Fifty Thousand Dollars (\$1,750,000) for the 2007 CIP 511307 JFK Coliseum Rehabilitation Project.”

(Note: referred to the CIP Committee by the BMA on 08/01/2006. On 08/14/2006 CIP Committee voted to table this item.)

“Authorizing Bonds, Notes or Lease Purchases in the amount of Four Million Dollars (\$4,000,000) for the 2007 CIP 712407 Cohas Phase 2 – Contract 2 Project.”

If the Board so desires, a motion is in order that the Bond Resolutions pass and be Enrolled.

31. Resolutions: (A motion is in order to read by titles only.)

“Amending the FY2007 Community Improvement Program, authorizing and appropriating funds in the amount of Four Thousand Five Hundred Dollars (\$4,500) for the FY2007 CIP 214007 Southern NH Area Health Education Center Program.”

“Amending the FY2007 Community Improvement Program, authorizing and appropriating funds in the amount of five Thousand Five Hundred Thirty Nine Dollars (\$5,539) for the FY2007 CIP 410507 Justice Assistance Grant Program.”

“Amending the FY2007 Community Improvement Program, authorizing and appropriating funds in the amount of One Thousand Dollars (\$1,000) for FY2007 CIP 510407 Fun In The Sun Program.”

“Amending the FY2007 Community Improvement Program, authorizing and appropriating funds in the amount of Thirty Thousand Dollars (\$30,000.00) for the 2007 CIP 511507 Bass Island-Blacksmith Shop Environmental Site Assessment Project.”

“Amending the FY2005 and FY2007 Community Improvement Programs, transferring, authorizing and appropriating funds in the amount of Forty Four Thousand Two Hundred Sixty Nine Dollars and Forty Two Cents (\$44,269.42) for the FY2007 CIP 610407 Housing Rehab/Lead Hazard Control Program.”

“Amending the FY2007 Community Improvement Program, authorizing and appropriating funds in the amount of Eleven Million Eight Hundred Sixty Eight Thousand Dollars (\$11,868,000) for FY2007 CIP 712907 Granite Street Widening Project.”

“Amending the FY2003 and 2007 Community Improvement Program, transferring, authorizing and appropriating funds in the amount of Forty Thousand Dollars (\$40,000.00) for the 2007 CIP 511407 Black Brook Dam Removal Engineering Project.”

“Authorizing the Finance Officer to effect a transfer of Forty Thousand Dollars (\$40,000) for the 2007 CIP 511407 Black Brook Dam Removal Engineering Project.”

“Authorizing the Finance Officer to effect a transfer of Four Thousand Seven Hundred and Seventeen dollars (\$4,717) from Contingency to Highway – Regular Salary.”

If the Board so desires, a motion is in order that the Resolutions pass and be Enrolled.

32. NEW BUSINESS

- a) Communication
- b) Aldermen

33. If there is no further business, a motion is in order to adjourn.



City of Manchester

Quality Council

Bright Ideas Evaluation Committee

Human Resources Department
One City Hall Plaza
Manchester, New Hampshire 03101
Tel. (603) 624-6543
Fax (603) 628-6065

August 17, 2006

The Honorable Mayor Guinta and Members of
The Board of Aldermen
City of Manchester
One City Hall Plaza
Manchester, New Hampshire 03101

Re: Bright Ideas Extraordinary Service Awards

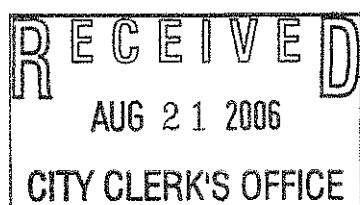
Dear Mayor Guinta and Members of the Board:

This past winter, the Board of Mayor and Aldermen re-adopted the Bright Ideas Program which was proposed by the employees' Quality Council. This program has two components to it. The first component is for employees to make suggestions that will improve one or all of the following: Economy, efficiency, effectiveness or safety of City operations. The second component is for extraordinary service. An award may be given to an employee who does something that far exceeds the normal expectations of his/her position. All suggestions are sent to an Evaluation Committee for review and consideration of an award. The Evaluation Committee has determined that two Highway employees should be granted an award for Extraordinary Service.

On Wednesday, August 9, 2006, Richard Robillard, Highway Supervisor and James Doherty, Equipment Operator were assigned the task of cutting tree stumps on Merrimack Street in conjunction with the reconstruction of Merrimack Street between Lincoln and Wilson Streets. At approximately 1:13 P.M., a young boy exited the building and ran towards the Assistant Chief of Highways, Robert Roy, informing him that his house was on fire and that he had 911 on the phone. Mr. Robillard and Mr. James Doherty overheard this conversation and without any hesitation, ran into the building. With complete disregard for their own safety and without any type of protective clothing, Mr. Doherty entered #380 and Mr. Robillard entered #382 and began banging on doors and yelling as loud as they could "fire.... fire....fire"! As a result of their quick thinking and immediate actions, both gentlemen were able to alert several residents who were able to evacuate the building safely.

Bright Ideas Evaluation Committee Members

Kevin Buckley, Virginia Lamberton, Brent Lemire, Gene Mackie, Mary Makris



5

Mayor Quinta and the Board of Aldermen

- 2 -

August 17, 2006

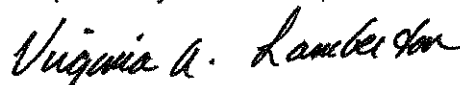
As a result of the immediate actions of Mr. Robillard and Mr. James Doherty, with total disregard for their own personal safety, a potentially tragic event was averted.

Frank Thomas, Director of the Highway Department, has recommended that each of these employees receive an award for Extraordinary Service. The Bright Ideas Evaluation Committee concurs with that recommendation and proposes that the Board of Mayor and Aldermen authorize awards to both Mr. Robillard and Mr. Doherty in the amount of \$1,500 each.

Your favorable approval of these proposed awards would be greatly appreciated.

On behalf of the Quality Council and the Bright Ideas Evaluation Committee, I respectfully submit this request for your approval.

Respectfully submitted,



Virginia A. Lamberton
Human Resources Director

Cc: Frank Thomas, P.E., Director
Gene Mackie, Chairperson, Quality Council
Evaluation Committee

Bright Ideas Evaluation Committee Members

Kevin Buckley, Virginia Lamberton, Brent Lemire, Gene Mackie, Mary Makris

A

I need a telephone poll to be conducted today/tomorrow to have the BMA authorize the transfer of \$4,717 from the contingency fund to HR. The purpose of this transfer is to give awards to two Highway employees, Richard Robillard and James Doherty, an Extraordinary Service Award for running into a burning apartment building on August 9, 2006.

- On Aug 9, Mr. Robillard and Mr. James Doherty were cutting tree stumps on Merrimack Street
- At approximately 1:13 P.M., a young boy ran from the apt building towards another Highway employee telling him that the apt house was on fire.
- Mr. Robillard and Mr. Doherty overhead the boy and without any hesitation, ran into the burning building with complete disregard for their own safety and without any type of protective clothing.
- They banged on the apt doors and yelled loudly "fire, fire, fire".
- As a result of their quick thinking and bravery, all residents were evacuated safely.

The Bright Ideas Program provides for a monetary award in instances such as this. Both gentlemen have been nominated to receive checks in the net amount of \$1,500 at the next BMA meeting.

According to the Bright Ideas Policy, funds to pay for this award come from the contingency fund. In order to transfer these funds to the payroll account, the BMA must vote to authorize the transfer. We are requesting that the BMA authorize this transfer via a telephone poll, then formally vote on it at the Sept 5 meeting. The reason for this is if the BMA doesn't authorize the transfer today, we won't be able to give the employees their checks at the Sept 5th meeting.

The Mayor has approved this telephone poll.

If asked why we need to transfer \$4,717 rather than \$3,000, that is because we pay the taxes for the awards so that the employees actually get \$1,500 each.

re. transfer \$4,717 from
Cont. to HR
Board of Aldermen
Yeas and Nays
Upon BMA Poll
Extraordinary Service Award
Aug 21, 2006

Aldermen	Yea	Nay	Absent	Pass
Ward 1 - Roy	✓			
Ward 2 - Gatsas				
Ward 3 - Long	✓		Abstain	
Ward 4 - Duval	✓			
Ward 5 - Osborne	✓			
Ward 6 - Pinard	✓			
At Large - O'Neil				LM
At Large - Lopez	✓			
Ward 7 - Shea	✓			
Ward 8 - DeVries	✓			
Ward 9 - Garrity	✓			
Ward 10 - Smith	✓			
Ward 11 - Thibault	✓			
Ward 12 - Forest	✓			
TOTAL:				



CITY OF MANCHESTER

Office of the City Clerk



Leo R. Bernier
City Clerk

Carol A. Johnson
Deputy City Clerk

Paula L-Kang
Deputy Clerk
Administrative Services

Matthew Normand
Deputy Clerk
Licensing & Facilities

Patricia Piecuch
Deputy Clerk
Financial Administration

MEMORANDUM

To: Board of Mayor and Aldermen

From: Paula L-Kang
Deputy Clerk

Date: August 20, 2006

Re: BMA Minutes

Enclosed please find copies of BMA minutes, which will be addressed at the September 5th meeting of the Board as follows:

May 16, 2006 (two meetings); and
June 6, 2006 (two meetings).

Enclosures

CITY OF MANCHESTER, NH
PETITION FOR POLE LOCATION LICENSE

POLE LOCATION
FORM NO. 1

August 22, 2006

*To the Hon. Board of Mayor and Aldermen
of the City of Manchester, New Hampshire:*

PUBLIC SERVICE OF NEW HAMPSHIRE

request a license to install and maintain underground conduits, cables and wires and to erect and maintain poles and structures with wires, cables, conduits and devices thereon, together with such sustaining, strengthening and protecting fixtures as may be necessary, along, across, and under the following public ways:

License four poles, 842/3, 3Y, 4, and 627/20 located on McGregor St in the City of Manchester.

Wherefore we pray, that we be granted a license to install and maintain underground conduits, cables and wires and to erect and maintain poles and structures with wires, cables, conduits and devices thereon together with sustaining, strengthening and protecting fixtures as may be necessary, said underground conduits, poles and structures to be installed approximately in accordance with the plan filed herewith marked "POLE LOCATION PLAN, PUBLIC SERVICE OF NEW HAMPSHIRE".

Plan No. 12-254
Dated: July 20, 2006

PUBLIC SERVICE OF NEW HAMPSHIRE

BY: Erin Normand
Erin Normand, Plant Records/Licensing

4AAEKZ

CONDUIT LOCATION
FORM NO. 1

July 25, 2006

In The Board of Mayor and Alderman
of the City of Manchester, New Hampshire:

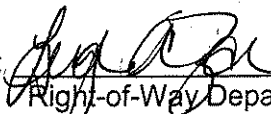
VERIZON NEW ENGLAND, INC.

requests a license to install and maintain underground conduits, cables and wires and to erect and maintain poles and structures with wires, cables, conduits and devices thereon, together with such sustaining, strengthening and protecting fixtures as may be necessary, along, across and under the following public ways:

Licensing of with approximately 245 feet of underground and cable and associated handholes located on Granite Street in the city of Manchester, New Hampshire, as per attached.

Wherefore we pray, that we be granted a license to install and maintain underground conduits, cables and wires and to erect and maintain poles and structures with wires, cables, conduits and devices thereon together with such strengthening and protecting fixtures as may be necessary, said underground conduits, poles and structures to be installed approximately in accordance with the plan filed herewith marked Verizon New England, Inc 4AAEZK Dated: July 11, 2006.

Verizon New England, Inc.

By: 
Right-of-Way Department

4AAF3V
POLE LOCATION
FORM NO. 1

July 24, 2006

Tel

In The Board of Mayor and Alderman
of the City of Manchester, New Hampshire:

**VERIZON NEW ENGLAND INC
&
PUBLIC SERVICE OF NEW HAMPSHIRE**

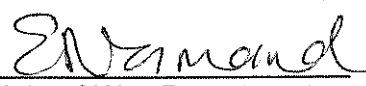
requests a license to install and maintain underground conduits, cables and wires and to erect and maintain poles and structures with wires, cables, conduits and devices thereon, together with such sustaining, strengthening and protecting fixtures as may be necessary, along, across and under the following public ways:

The placing and licensing of 1 new pole (70/26) on McGrregor Street and 5 new poles (761/3, 761/4, 761/5, 761/7 & 761/7PB) on Foundry Street, in the City of Manchester, New Hampshire, as per attached.

cables and wires and to erect and maintain poles and structures with wires, cables, conduits and devices thereon together with such strengthening and protecting fixtures as may be necessary, said underground conduits, poles and structures to be installed approximately in accordance with the plan filed herewith marked Verizon New England Inc. and Public Service of New Hampshire.

No: 4AAF3V
Dated: June 28, 2006
Verizon New England, Inc.

By: 
Right-of-Way Department

By: 
Right-of-Way Department
Public Service of New Hampshire

4AAF3N
POLE LOCATION
FORM NO. 1

July 25, 2006

In The Board of Mayor and Alderman
of the City of Manchester, New Hampshire:

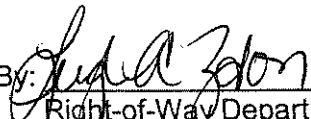
**VERIZON NEW ENGLAND INC
&
PUBLIC SERVICE OF NEW HAMPSHIRE**

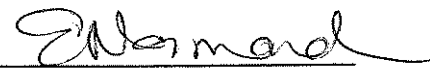
requests a license to install and maintain underground conduits, cables and wires and to erect and maintain poles and structures with wires, cables, conduits and devices thereon, together with such sustaining, strengthening and protecting fixtures as may be necessary, along, across and under the following public ways:

The placing and licensing of 1 replacement (664/10) on Moore Street, in the City of Manchester, New Hampshire, as per attached.

cables and wires and to erect and maintain poles and structures with wires, cables, conduits and devices thereon together with such strengthening and protecting fixtures as may be necessary, said underground conduits, poles and structures to be installed approximately in accordance with the plan filed herewith marked Verizon New England Inc. and Public Service of New Hampshire.

No: 4AAF3N
Dated: June 28, 2006
Verizon New England, Inc.

By: 
Right-of-Way Department

By: 
Right-of-Way Department
Public Service of New Hampshire

MAYOR'S UTILITY COORDINATING COMMITTEE

July 19, 2006

Chairman's Synopsis: Progress is visible on the southbound turnpike bridge over Granite Street as well as in the river as these two large projects hit their stride in mid-summer. Look for CMC related work to affect McGregor St. for much of August with the expectation that it will be mostly complete there by the start of school. Emergency brook replacement will soon be underway off Porter Street between Massabesic Street and Hayward Street. City sewer and drains will be installed on Walnut Hill Avenue Extension beginning in August.

~ ~ ~ ~ ~

The meeting was called to order by Jay Davini at 10:05 AM.

MANCHESTER HOUSING & REDEVELOPMENT

Ward

- #3 157 Chestnut St. – MHRA intends to relocate the offices of the Construction Division from 89 Pine St. to this property. The architectural firm of Dennis Mires, PA has been selected to design the renovations to office space. Design of renovations is in progress. Solicitation for a Construction Manager for the project has begun.
- #12 French Hall – J.P. Sercel Assoc. (Lazer design/production firm) currently renovating the property for a planned fall '06 occupancy.
- #12 Northwest Industrial Business Park – Oest Engineering continues with the permitting process. Preliminary subdivision design has been reviewed and commented on by staff. Engineers have met with utilities and have begun infrastructure design process.
- #11 Brown School – Funding for project has been approved. Staff is reviewing number of units proposed from Construction Management firms. North Branch Construction has been selected as the Construction Manager.
- #3 Jac-Pac – Continuing to look for interim use proposals. CMC has begun parking at the site.

STATE PROJECTS

- #6 Candia Road [Bypass 28-I-93] – R.S. Audley is under contract with the NH Department of Transportation for this road reconstruction project which has a two-year construction period. Construction expected has recommenced.

D

Ward**#11 Granite St./F.E.**

Everett Trnpr Imprv.

- The NHDOT "C" contract was awarded to Middlesex Corp. of Mass. at \$28,687,750 which includes the City's work on Granite Street between Main St. and the river plus turnpike work. The Everett Turnpike abutment work is underway, the steel is up on the piers for the new south-bound lane bridge.

The City's Granite St. Bridge Contract was awarded to E.D. Swett, the low bidder at \$11.7 million. Steel is being placed for a couple of sections now. The remainder of the City's (Contract "E") Granite Street work (Commercial St. to Elm St.) will be bid in 2006.

#8 Airport Access Road

- The NH Department of Transportation's design is progressing. Building demolition is complete in Manchester. Construction is expected to begin in 2007. The project will be split into multiple contracts. HTA is designing relocation of Trolley Crossing Pump Station force main for EPD.

**#8 NHDOT T-Bldg.,
Airport Existing
Bldg. Demolition**

- Cherokee Construction has begun razing of existing T-buildings owned by the Airport as part of the future Airport Access Road. Completion of work is anticipated for Sept. '06.

PLANNING/BUILDING

SUBDIVISIONS**#12 Legacy Dr.**

- 11 lot subdivision located between Straw Rd. and Goffstown Road, base pavement is down, curbing is now in place.

#8 Bryant Road

- Approved for both condos (56) and single family housing (34). Construction well underway.

#12 Woodland Pond

- 77 lot subdivision for single-family homes approved with roads off Countryside Blvd. Work has begun on last phase.

1 McLane Lane

- Seven unit planned development approved by Planning Board east end of existing road.

#6 Grand View Estates

- Argeriou property – 15 homes proposed on an extension of Lindstrom Lane has Planning Board approval.

#2 Sky Meadow Way

- 4 unit planned development approved off Currier Drive, work has begun.

D

Ward

- #3 167/168 Silver St. - Two six-unit condos approved by Planning Board.
- #8 270 Stanton St. - 4 new lots approved by Planning Board. Utility work underway on one lot.

SITE PLANS

- #3 Chinburg - Multiple residential townhouses are under construction with two highrise towers to follow just south of Fisher Cats Stadium. Some occupancy permits have been issued.
- #5 310 Wilson St. - Shopping center rehab. – 73,000 SF, new overall 171,000 S.F. Retail building “B” occupied. “Stop n’ Shop” open. Gas pumps are open. Retail building “A” under construction.
- #2 166 LaGrange Ave. - Islamic Society Mosque foundation permit issued from Building Department.
- #12 17 Riverfront Dr. - One 5-unit condo and one 4-unit condo approved. Work is almost complete.
- #12 Front St./Hackett Hill Road - 52 Unit, six building condos. Occupancy expected soon.
- #6 25 Lakeside Dr. - Dunkin’ Donuts proposal has approval from Planning Board.
- #2 845 Mammoth Rd. - Three story, 10 unit building approved by Planning Board.
- #2 747 Mammoth Rd. - Six-unit apartments under construction.
- #6 Hobbs Way - Four houses to be built off Bridge Street Extension.
- #5 661 Bell St.
“Vista View” - Combination of 12 handicap access apartments & 26 townhouses. Construction has begun.
- #9 915 S.Mammoth Rd. - Three self-storage units has Planning Board approval.
- #7 Maple/Silver Sts. - Mill proposal to convert to housing approved by Planning Board.
- #6 Cohas Brook Estates - “Marathon Way” 31 unit planned development. Work is well underway, some occupancies granted.
- #2 978 Mammoth Rd. - “Mammoth Oaks” 8-unit planned development approved, construction has begun.
- #11 CMC - New medical office building, parking garage and walkway over McGregor St. to be built. Work has begun. Harvey Construction managing this project.

D

Ward #

- #6 1070 Holt Ave. - Industrial building. Work is underway.
- #12 The Neighborhood @ Woodland Pond - 487 Units on 110 acres bordering Goffstown and Hooksett at Hackett Hill approved by Planning Board. Work is underway on extension of Countryside Blvd.
- #2 Currier Museum of Art - Expansion of building towards Orange St. and parking lot on the Prospect Street end has Planning Board approval. Work is underway.
- #6 1085/1095 Bodwell Rd. - Planned development, 5 bldgs. 26 units under construction.
- #8 293 Abby Rd. - 32,000 S.F. office/warehouse building for Redlon & Johnson. Work is underway.
- #6 1207 Hanover St. - Rehabilitation of existing warehouse/retail to 19,500 S.F. with loading and parking. Approved by Planning Board.
- #9 161 So.Beech St. - Four story, 29 unit apartment proposed along with conversion of church to retail space. Approved by Planning Board.
- #5 1571 S.Willow St. - Jared Jewelers converting Exxon to retail approved by Planning Board. Demolition is complete.
- #3 #73 W.Brook St. - Proposal for a 15,530 S.F. building for PSNH Call Center with parking. Work is underway.
- #3 #386 Union St. - Proposal for a 4,000 S.F. one story building to be used as a Laundromat at Lake Ave. has been approved.
- #8 #70 Keller St. - Proposal to build a 31,000 S.F. Team Nissan dealership. Approved by Planning Board.
- #3 1602 Elm St. - Rehab of gas station to convenience store almost complete.

Water Works Projects

Ward

Cleaning & Lining Project

a) Coolidge Ave. – Dexter to Cartier St.	2,330 L.F. of 8"
b) Kelley St. – Rimmon St. to Notre Dame Ave.	840 L.F. of 6" complete
c) Hevey St. – Coolidge Ave. to Kelley St.	1,900 L.F. of 6"
d) Rimmon St. – Coolidge Ave. to Kelley St.	1,770 L.F. of 6", 12"
e) Granite St. – Allard Dr. to Main St.	900 L.F. of 10" complete
f) Montgomery St. – Mason St. to Kelley St.	1,400 L.F. of 6"
g) Dubuque St. – Bremer St. to Kelley St.	600 L.F. of 6"
h) Cartier St. – Coolidge Ave. to Kelley St.	430 L.F. of 6"
i) Dexter St. – Montgomery St. to Coolidge Ave.	180 L.F. of 8"

Water Main Relays

A) W. Hillcrest – Brown Ave. easterly	860 L.F. of 6"
B) Spruce St. – Lincoln St. to Wilson St.	700 L.F. of 6" complete
C) Cooper St. – Donald St. southerly	380 L.F. of 6"
D) Belair St. – Brown Ave. westerly	310 L.F. of 6" complete
E) Quirin St. – Rimmon St. easterly	270 L.F. of 6"
F) Reed St. – Kelley St. northerly	250 L.F. of 6"
G) Cotter Ct. -	200 L.F. of 1.5"
H) Montcalm St. – Dionne Dr. easterly	150 L.F. of 2"
I) Reed St. – Bremer St. southerly	100 L.F. of 2"
J) Farmer Ln. – Candia Rd. northerly	150 L.F. of 6"
K) Brown Ave. – Relay for Airport Access Rd.	1,500 L.F. of 12"

PARKS & RECREATION PROJECTS

P&R PROJECTS - FY'07

#10 Piscataquog

Trailway, Phase III - This will involve continuation of the trail from S. Main St. to the West Side Ice Arena, continuing from where Phase II ends continuing west. This phase will be designed by VHB and awaits execution of the municipal agreement in October.

#10 Piscataquog

River, East

- A new multi-purpose athletic field is to be constructed at the end of Douglas Street. The multi-use field will be a combination of football and lacrosse athletic fields. There is a need for this athletic complex to provide a new home for the Pop Warner team on the west side and additional space for PAL lacrosse.

#11 Gossler/

Parkside

- Currently seeking professional design services to update and improve the site containing these two school facilities for possible construction in FY '08.

Ward

- #9 Calef Road** - Located off of Garfield Street behind the Fire Station on Calef Road. Create a passive park area in place of the tennis courts that will be removed and a playground adjacent to Garfield St. with some parking to better suit the needs of the neighborhood and deter illegal activities. We are currently soliciting proposals from Kaestle Boos Associates for design and construction is anticipated for late fall or early spring.
- #2 Weston Observatory** - Weston Tower Observatory restoration needed to save the tower from further deterioration that will inevitably end up destroying the landmark if not corrected. Major improvements will include restoration of the roof, repointing of the stone, restoration of the stairs and other improvements to include some brush clearing around the Tower. Architectural Services Contract to be signed with Kurt Lauer.
- #11 West Jr. Deb Field** - Currently, no nighttime field lighting exists; it has been requested to provide these utilities to allow for night games. \$75,000 has been donated to the league for the field lighting and a steel archway over the entrance to the fields.
- #8 Crystal Lake** - The Crystal Lake Master Plan will assist the City to preserve Crystal Lake Park and the surrounding area in a manner consistent with the City's Master Plan and desired outcome of the people in the surrounding communities. We will be interviewing four consultant groups next week; the interviews will be held on Monday the 24th and Wednesday the 26th of July. Implementation of phase one (funded in FY'07) of this master plan to be implemented subsequent to completion of Master Plan.
- #3 Bakersville School** - Moriece & Gary to update their original design for general site rehab to include plans and bidding documents for a new playground, additional parking, drainage and basketball courts.
- #2 Hillside School** - DuBois & King to update their original design for improvements/expansion to existing athletic fields located to the west of the school.
- Valley Cemetery Rehabilitation** - Continued work on the restoration of Valley Cemetery including the Pine Street Gate, Chapel, fence and update/replace miscellaneous utilities as the "Friends of Valley Cemetery" allow.

HIGHWAY DEPARTMENT PROJECTS

D

Ward

Construction Projects

- # 6 Candia Rd.
Dry Sewer
 - Sewer construction is about complete.
- #11/12 CSO-6
 - Work has begun on Kelley, Bremer and Mason Streets. R.D. Edmunds of Franklin, NH. is the contractor on this \$6 million project.
- #3/5 Central St.
 - Street lights, sidewalks remain to be constructed.
- #4/5 Merrimack St.
 - Lincoln to Wilson – drainage complete.
- #5 Spruce St.
 - Lincoln to Wilson – City started drainage work. Verizon has not begun relocation/replacement of old wooden duct bank.
- #11 Dover St.
 - Replace sewer this year.
- #3 Chestnut St.
 - Sidewalks from Hanover St. to Manchester St.
- #1,5,7 Infrastructure Improvements
 - Boston St., Cedar St., Roy Ave., Cox St. bids opened, awarded to Park Construction. Work to begin in August.
- #5 Spruce St.
 - ***Reconstruction of Wilson – Hall St., in Spring '07.***
- #5 Central St.
 - ***Lincoln – Wilson reconstruction – Spring 2007.***
- #4/5 Laurel St.
 - ***Lincoln to Wilson – Street Reconstruction Spring 2007.***
- #5 Cedar St.
 - ***Wilson to Belmont – Summer of 2007.***
- #5 Belmont St.
 - ***Massabesic to Spruce – St. Reconstruction, Summer 2007.***
- #5/7 Jewett St.
 - ***Young to Massabesic – Sewer replacement, Spring 2007.***
- #1 Walnut Hill Ave.
 - ***Sewer/Drain Constr. - R.D. Edmunds to begin construction in August.***
- #10 Poor/Schiller St.
 - ***CSO Project. Park Construction to begin construction in September 2006.***

MANCHESTER AIRPORT

- #8 Runway 6
 - Runway 6 reconstruction ongoing. Contractor awarded Continental Paving, Inc. Completion set for Fall 2006.

D

Ward

- #8 Aerohex Hangars - Rehabilitation of hangars in the N.E. area of the airport. Site work designed by CLD. Construction to begin this Summer 2006.
- #8 Runway 24 Safety Area Extn. Across S. Willow St. - Design work has begun for multiple project associated with the extension of the Runway 24 Safety Area. Construction is slated for 2007.
- #8 De-Icer Fluid Management - Project is under a design/build contract to Weston. Construction is anticipated this Fall.
- #8 Sand/Salt Storage Facility - Projects' bid opening ws June 20, 2006. Apparent low bidder was Kinsman Corp., Inc. of Hooksett, NH. has begun project. Completion Fall '06.
- #8 Sand Equipment Bid - Next to Airfield Maintenance on Kelley Ave. Project apparent low bidder is Kinsman Corp. June 16, 2006 is the Notice To Proceed.
- #8 Summit Packaging #16 Ammon Rd. - Manchester Airport has taken ownership of building. Razing of building scheduled for 2006.
- #8 Meggit Avionics #10 Ammon Rd. - The property has come back to the Airport due to the expiration of the lease. Razing of the building scheduled for 2006.
- #8 FAA Existing ATCT #8 Ammon Rd. - The tower is being reviewed for demolition of the tower cab down to main buildings roof line. RFQ for a construction management company has been advertised. Demolition is scheduled for this Fall.
- #8 FAA Aircraft Traffic Control Tower (ATCT) - Construction substantially complete. Facility scheduled to be operational in August of 2006.

KEYSPAN ENERGY DELIVERY

CSO

- | | | |
|---|------------------|----------|
| a) Cartier St. – Bremer St. to Kelley St. | 500 L.F. of 4" | Complete |
| b) Youville St. – Bremer St. North to end of Main St. | 220 L.F. of 4" | Complete |
| c) Montgomery St. – Bremer St. North to end of Main St. | 1,015 L.F. of 2" | Complete |
| d) Notre Dame Ave. – Notre Dame at Kelley St. | 125 L.F. of 4" | |
| e) Kelley St. – Dubuque St. to Reed Street | 1,080 L.F. of 8" | |
| f) Bremer St. – Hevey St. to Alsace St. | Tie Ins | Complete |
| g) Hevey St. – Montgomery St. to Kelley St. | 700 L.F. of 6" | Complete |

D

Ward #

State of NH-D.O.T.

a) Candia Rd. – I93 to Proctor Road 2,050 L.F. of 8"

System Reinforcement

- a) Linden St. – 249 Linden St. to North St. 400 L.F. of 6" Complete
- b) Taylor St. – Holley Ave. to Villa St. 225 L.F. of 6"
- c) Sagamore St. – Union St. to Walnut St. 270 L.F. of 8"
- d) Taylor @ Valley St. - Convert to high-pressure main
- e) Ash St. @ Currier Museum of Art
- f) Spruce St. – Wilson to Hall

PSNH

- #3 Merrimack St. - Need to add transformer to existing network duct due to increased downtown load, scheduled after July 4th.
- #11 CMC - Line crews in McGregor, Putnam, Foundry streets for another three weeks, mostly on Foundry Street.

MANCHESTER TRAFFIC DEPARTMENT

- #3 Auburn St. @ Chestnut St. - Bids for upgrade signal project were opened last week. Moulison North was low bidder at \$53,580.00.

VERIZON

- #6 Candia Rd. – Massabesic Circle to I-93. Cable relocation underway. Complete from Circle to Hanover St. Complete in June.
- #5 Spruce St. – Lincoln to Wilson conduit replacement to accommodate Highway Department reconstruction work. Will install conduit on north sidewalk through Wilson St. intersection – to begin in July.
- #11 CMC – Installing new conduit on McGregor Street from Citizen's Bank to Foundry St. 150' this summer.

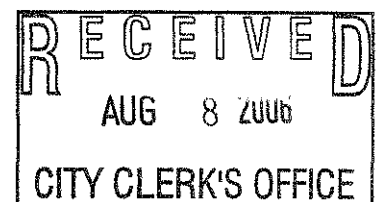
D

NEXT MEETING: The next MUCC meeting has been scheduled for Wednesday, August 16th 2006 at 10: 00 AM in the **Conference Room, second floor, at the Manchester Water Works.**

Attended Contact List

	Ms. Janet Kelliher	PSNH	882-5894 X5230
	Mr. Karl Franck	Building Dept.	624-6475
x	Mr. Jay Davini	Manchester Highway Dept.	624-6444
x	Mr. Guy Chabot	Manchester Water Works	624-6494
	Mr. Chris Blue	Fire Department	669-2256
x	Mr. Mike Venti	Airport Authority	624-6539 X318
	Mr. Jody Rivard	Manchester Fire Dept.	669-2256
x	Mr. Chuck Deprima	Parks & Recreation Dept.	624-6565 X315
	Mr. Matt Wietecha	Verizon	645-2703
	Mr. Terry Harlacher	Planning Department	624-6450
	Ms. Betty Hackett	Verizon	645-2713
x	Mr. Paul Shea	Keyspan	231-4970
	Mr. Mike Jolin	MHRA	624-2111
	Mr. Tim Dent	Comcast	679-5695 X1013
x	Mr. Jim Hoben	Traffic Department	624-6580
	Mr. Alan Poulos	Keyspan	231-6415
	Mr. Ed Berthiaume	Verizon	645-2703

NOTE: NEW projects for the month will be *italicized/bold* printed.



**MANCHESTER
TRANSIT AUTHORITY**

110 ELM STREET, MANCHESTER, NH 03101-2799
TELEPHONE (603) 623-8801
FAX (603) 626-4512



JOHN H. TRISCIANI, CHAIR
JOSEPH J. DESELLE, VICE CHAIR
PETER ESCALERA
MAUREEN A. NAGLE

DAVID SMITH
EXECUTIVE DIRECTOR

July 26, 2006

Mr. Leo Bernier, City Clerk
City of Manchester
One City Hall Plaza
Manchester, NH 03101

Dear Leo,

The MTA Commissioners held a monthly Commission Meeting on Tuesday, July 25, 2006. Enclosed are the approved Minutes of the June 27, 2006 Commission Meeting, and the Financial and Ridership Reports for the month of June 2006.

The next scheduled Commission Meeting will be Tuesday, August 29, 2006 at 5:00 PM.

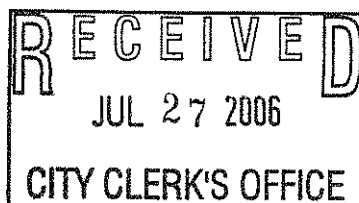
If you should have any questions, please feel free to contact me at extension 612.

Very truly yours,

David Smith
Executive Director

DS:cr

Enclosures



**MANCHESTER
TRANSIT AUTHORITY**

110 ELM STREET, MANCHESTER, NH 03101-2799
TELEPHONE (603) 623-8801
FAX (603) 626-4512



JOHN H. TRISCIANI, CHAIR
JOSEPH J. DESELLE, VICE CHAIR
PETER ESCALERA
MAUREEN A. NAGLE

DAVID SMITH
EXECUTIVE DIRECTOR

Manchester Transit Authority

June 27, 2006 Commission Meeting

MEMBERS PRESENT:

Chairman John H. Trisciani
Vice Chairman Joseph J. Deselle
Commissioner Peter Escalera
Commissioner Maureen A. Nagle

PERSONNEL PRESENT:

David Smith, Executive Director
Karyn Bennett, Assistant Executive Director
William J. Cantwell, Supt. of Administration

1. a. Chairman TRISCIANI called the meeting to order at 5:10 PM.
- b. **Minutes of May 30, 2006 Commission Meeting.** NAGLE made a motion to approve the Minutes of May 30, 2006 Commission Meeting as presented.

Seconded by DESELLE. All Commissioners in favor.

MANAGEMENT REPORTS

2. a. **Financial Report for May 2006.** DESELLE made a motion to approve the Financial Report for May 2006. Seconded by ESCALERA.

Transit Operation: CANTWELL reported revenue was \$28,504; (11.08%) more than budget. Operating revenue from tickets and farebox was \$4,949 (20.62%) more than budget. Farebox income was \$4,865 more than budget and averaged approximately \$785 per day. Expenses were \$29,555 (10.16%) more than budget. The most significant variances were fringe benefits for health/dental insurance premiums and transit operators sick wage utilization. Materials and Supplies were over budget relating to fuel for MTA and City vehicles.

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School Operation: CANTWELL reported revenue was \$4,762 (1.85%) less than budget. He said charter revenue was close to budget this month, after months of being under budget, and year-end charters should be the same as budgeted; \$265,000 . Expenses were \$19,458 (7.67%) less than budget. School labor was under budget by \$5,000. Materials and Supplies were under budget by \$4,000. Year-to-date the school division has generated a surplus of \$101,000 to be transferred into the school bus replacement account. SMITH explained any surplus we generate in the school operation from charter work goes into the school bus replacement account to purchase school buses.

SMITH explained last month CANTWELL projected the transit budget at year-end would be about \$35,000 over budget. We are currently ahead of budget by \$27,000 due to both expenses and revenues being over budget. CANTWELL explained depreciation is under budget when we take into account the assets we put into service this year. When he does the audit he will adjust depreciation. SMITH explained the school year started in a healthy position because the level of service provided was less than projected. Revenues and expenses were both under budget in the school operation throughout the year. CANTWELL reported the charter season was not strong because of the rain, but did rebound at the end of May. He stated year-to-date we are ahead by \$17,000, but that will disappear in June because June charter work was not as strong as in the past. SMITH stated we would receive a \$16,000 adjustment from the School District for fuel differential.

TRISCIANI asked if the new buses would affect depreciation. CANTWELL replied they would significantly affect depreciation. He will be adding the two

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buses purchased in November, E&H vans, radios, and the bus sign project to the depreciation schedule.

TRISCIANI commented some of our buses would be sixteen years old. SMITH explained school buses have an economic useful life of ten years and 100,000 miles. Beyond that they start to need more repair work and we are better off replacing them. SMITH said although some of our fleet is beyond ten years of age, we have never had a bus pulled out of service by the State. It is not uncommon across the State for school districts to have older fleets. SMITH said the School District didn't want to negotiate cost for the buses inside the daily rate we charge them, because they didn't want to pay for them through operations; they wanted to go before the Board of Mayor and Aldermen to try to get them into the CIP budget. As a result, the new buses are not funded in the CIP, so it is incumbent we generate funds from operations this year to replace buses.

The check register was reviewed. SMITH explained a \$6,000 payment was made to Trapeze Software Group for the paratransit reservations scheduling software. We subsequently will make a payment of \$22,000 for the balance before year-end. Trapeze has trained MTA staff and will be doing the software installation within two weeks.

ESCALERA asked about dental and health insurance in the school operation.

CANTWELL responded the school bus operators pay 100% of their premium and have prepaid July and August through payroll.

BENNETT reported the check to Colorado Mountain College was for five pocket guides entitled "Basic Spanish for Transit Employees." She explained this booklet details how to pronounce, in Spanish, common questions and commands

specific to transit operators. SMITH feels we should purchase more guides for all employees.


Accounts Receivable was reviewed. CANTWELL reported the School District's Transportation Coordinator is helping with collection of problematic invoices. Since the Financials were distributed to Board Members, we received roughly \$1,000 for the over 120 receivables. TRISCIANI questioned the outstanding January 2006 Vista Foods invoice for \$540. CANTWELL explained they paid February, March, and April invoices, but not January. The Accounting Secretary is seeking payment through their corporate office in Natick.

All Commissioners in favor of approving Financial Report for May 2006.

b. **Operations Reports for May 2006.**

Transit-School Report:

Transit: BENNETT reported on May 2nd representatives from the Fire and Health Departments trained staff and drivers on biological, explosive, and nuclear terrorism. BENNETT is continuing to meet with the Bioterrorism Task Force in preparation of the City-wide emergency drill to be held on August 5th. She explained the MTA is preparing shield kits for the buses to be hung behind the drivers' compartment. Although the passengers will be decontaminated and cleaned, this will create additional employee protection. BENNETT reported Easter Seals is still reviewing our StepSaver client files for eligibility status under ADA. She explained during the month staff met with consultant Geoff Slater and representatives from SNHPC to review the COA recommendations presented before the Board of Mayor and Aldermen. At that time they were unable to give



Mr. Slater direction because of the uncertainty of the City budget, but are now able to get back together with an action plan.

School: BENNETT reported at the beginning of the month we licensed four drivers. There were seven drivers out on medical leave and one driver out on disability for the remainder of the school year. During the month we successfully completed 268 charters using 332 buses. BENNETT reported summer school starts July 10th through August 10th, Monday through Thursday. We will be scheduling three drivers, plus a spare, to do this work.

Transit Statistics Ridership Report: SMITH reported total transit riders on fixed routes was up 3.6% this month; 5.5% for the year. StepSaver was down slightly this month by 47 passengers, but up 2% for the year. We serviced two events for the Verizon arena and carried no passengers. SMITH reported trip surveys for outside performance were 100% on time and miles per road call were down.

Maintenance Report: TRISCIANI commented there were six transit road calls during the month. SMITH responded most were for bus 91-01 which maintenance had finally put out of service as a reserve until new buses arrive. SMITH reported there is one utility position open.

NEW BUSINESS

3. a. **Ratify Telephone Poll Approving Senior Citizens Free Transportation to Mayor's Spring Luncheon.** NAGLE made a motion to approve allowing senior citizens free transportation to the Mayor's spring luncheon held on Friday, June 23rd. Seconded by ESCALERA. All Commissioners in favor.

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- b. **Elimination of Verizon Shuttle Service.** BENNETT reported the Verizon shuttle began in November 2001. From November 2001 through March 2002 ridership steadily rose. In FY 2003 the shuttle was no longer funded by the City and as time went by the novelty wore off and the need for the shuttle started to decrease as people found parking places. With the decrease in ridership and lack of City subsidy, the decision was made to only service major events. SMITH stated it was started at the request of the Board of Mayor and Aldermen because of public criticism since parking wasn't part of the project. The City gave us \$20,000 that first year to provide service for all the Verizon events. We serviced two routes, one of the buses serviced Singer parking lot until they built the Fisher Cats Stadium. That parking lot drew the passengers, ridership was very high, and when the lot was closed ridership dropped. Based on the statistics, lack of funds available, and subsidy reduction, BENNETT recommended eliminating the Verizon Shuttle effective July 1st, 2006. She stated the yearly cost to run the shuttle is between \$5,000 and \$7,000 (for our reduced level of service), and is always operated on overtime. NAGLE made a motion to eliminate the Verizon Shuttle effective July 1st, 2006. Seconded by TRISCIANI. ESCALERA amended the vote to eliminate service provided it could be reinstated at any time. Seconded by TRISCIANI. All Commissioners in favor.

- c. **Extend the Collective Bargaining Agreement (CBA) Between MTA and ATU**

Local 717. SMITH requested the Board agree to extend the CBA with ATU Local 717 until a new agreement is reached and make retroactive any pay adjustments to July 1, 2006. SMITH explained MTA and ATU representatives will be here August 9th and 10th to finalize negotiations. DESELLE made a

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motion based on SMITH's recommendation. Seconded by ESCALERA. All Commissioners in favor.

OLD BUSINESS


4. a. **Approve Resolution - \$1.1M City Subsidy for FY 2007.** ESCALERA made a motion to accept the City of Manchester's Resolution to award the MTA \$1.1M in subsidy for FY 2007. Seconded by NAGLE. All Commissioners in favor.
- b. **Status – Comprehensive Operations Analysis (COA).** SMITH passed out and summarized a recent report from consultant Geoff Slater regarding the COA, stating this report meets our budget expectation. SMITH mentioned our present routes are 45 and 50 minutes long and run back-to-back. The consultant is extending them to an hour to provide recovery time at the end of the line. Currently, we are providing greater productivity because the buses meet downtown to transfer, extending them an hour will provide better reliability because there is adequate time built into the schedules to do a round trip and have catch-up time downtown. Changing the length of time would make the system more effective, but less efficient because we will include recovery time in scheduling and results in \$200,000 more in costs for the same level of service. SMITH reviewed some of the recommendations:

Route 1 - Discontinuing.

Route 4 - Straight and simplified service.

Route 3 - Discontinuing six trips mid-day and just operating during peak.

Route 8 – Using this route to replace Route 1/Airport by extending service at certain times of day.



In addition to the elimination of Route 1, the elimination of Goffs Falls/Airport mid-day, they recommend making slight adjustments on the So. Beech and Bedford Mall routes. Mr. Slater recommends running all routes on the exact same time schedule (i.e., 6:30 AM – 6:30 PM) so we won't have buses operating later than others do.


SMITH will request both SNHPC and the consultant to conclude this study. He doesn't want them to try and tailor it to our immediate needs because we need to take what they recommend and do the detail work. There is a lot of operational or street level work that needs to be done to implement these recommendations.

SMITH wants to get the drivers heavily involved and make it a team effort from here on out. TRISCIANI said if we extend service into Goffstown we should be seeking subsidy from the Town of Goffstown.

c. **Status - Casualty Insurance Bid Opening – June 19th, 2006.**

Public Officials Insurance: SMITH explained we annually renew our public officials professional and employment practices liability insurance from Sadler Insurance. This insurance is for public officials' wrongful acts. The annual premium this year is \$14,686; a 6% increase from last year. SMITH recommended the Board approve renewing this policy. ESCALERA made a motion to renew the public officials insurance with Sadler Insurance for \$14,686. Seconded by NAGLE. All Commissioners in favor.

Auto and General Liability Insurance: SMITH explained two proposals were received on June 19th; Ferdinando Insurance Agency (\$301,000) and incumbent broker Capacity Coverage Company (\$410,000). Our current cost is \$355,000 and expires on June 30th. Ferdinando's proposal is with a new carrier



Philadelphia. The Philadelphia portion for general liability and auto coverages is \$250,000, and the umbrella policies would be provided by GenStar for \$51,000. Since Philadelphia is a new company, Albert Risk Managers have reviewed the insurance policies proposed very carefully. There was one issue that has been satisfactorily worked out and that was Philadelphia proposed to only insure drivers between the ages of 25 and 75. Now, only requirements they are placing on our hiring and employment practices is that we provide them an annual DOT physical for our over 75 drivers and provide a motor vehicle record check every six months for our under 25 and over 75 drivers. SMITH recommended awarding the contract to Ferdinando Insurance Company for \$301,000. SMITH also recommended we purchase an optional \$1M compliment for our uninsured vehicles while parked in the MTA lot for an additional premium of \$7,500. He explained last year we conservatively valued the fleet and now most of the school buses are not covered for property damage because of their age. The optional insurance would protect the buses against a catastrophe while parked in the yard and will protect us for the purchase price of equivalent replacement equipment. DESELLE made a motion to award the auto and general liability insurance proposal, with optional insurance, to Ferdinando Insurance Agency as recommended by SMITH. Seconded by ESCALERA. All Commissioners in favor.

NON PUBLIC SESSION


5. a. At 6:30 PM NAGLE made a motion to go into Non-Public Session per RSA 91-A:3. II. a. Seconded by DESELLE. TRISCIANI and ESCALERA voted yea. On a motion by DESELLE, seconded by ESCALERA, with TRISCIANI and

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NAGLE voting yea, Non-Public Session adjourned at 7:02 PM. TRISCIANI reported no motions were made during this session.

OTHER BUSINESS

6. a. **Ground Breaking Ceremony at Manchester Community Technical College (MCTC).** NAGLE reported the MCTC would be having a ground breaking ceremony for their new addition shortly after Labor Day. The name will also change to Manchester Community College. She anticipates that when the new building is complete, they will be actively recruiting new students. The parking will also be limited, thus the need for bus service.
- b. **Status - Gillig Buses.** SMITH stated all six buses would be on property next week. Maintenance is working on getting radios and fareboxes installed on the buses that have arrived. After July 1st we will hold a public ribbon cutting ceremony.
- c. **CIP.** SMITH explained the three buses and one van we programmed into the CIP were approved. In our last purchase of buses and vans we put options in the contract for future purchases. On the bus purchase we had an option of five buses from Bridgeport's 2006 order and four from their 2005 order. We purchased six of those buses and there are three left from the 2006 option. SMITH would like to exercise that option before the end of the month to make sure we are purchasing in FY 2006. He would get a formal proposal from Gillig as to the cost from the last time Bridgeport bought them. The pricing is automatic, there is no negotiating, it is based on Bridgeport's original purchase. SMITH asked if the Board wanted him to do a formal process or act now and purchase through the options. He can bring back a formal proposal during the month, but feels it would



be appropriate to make a resolution tonight and go forward with a purchase. He also recommended the Board purchase one van from Northern Bus Sales and explained when we purchased the van order this year; we applied an option for two vans in FY 2007 and two vans for FY 2008. The CIP has been approved for one van, and we can purchase one van through the option. DESELLE made a motion based on SMITH's recommendation to purchase buses and vans through the options. Seconded by NAGLE. All Commissioners in favor

- d. **Bus Shelter Request.** SMITH explained we have received passenger requests regarding bus shelters; one request is to move the shelter on Chestnut and Central Streets to a better location, the other requests were to add shelters on So. Willow Street and at Wal*Mart. SMITH will formally answer these requests.
- There was discussion on which bus shelters to move. SMITH said the advertising agency would have to move their shelters and we need to finish the route planning before we decide which shelters to move.

- e. **Date for Next Meeting.** Tuesday, July 25, 2006.

With no further business to come before the Board, ESCALERA made a motion to adjourn the meeting at 7:08 PM. Seconded by NAGLE. All Commissioners in favor.



Transit

June 2006

Manchester Transit Authority
Income Statement Transit
For the Twelve Months Ending June 30, 2006

	Current	Budget	YTD	YTD Budget	YTD Net Change
Farebox Revenue					
Farebox Revenue	\$18,607.23	\$15,000.00	\$215,556.15	\$195,000.00	\$20,556.15
Adult Fares	2,304.00	2,300.00	26,139.40	27,600.00	(1,460.60)
Adult Monthly Fares	3,824.00	2,100.00	28,440.00	25,200.00	3,240.00
Senior Citizens Fares	840.00	800.00	11,271.50	9,600.00	1,671.50
Senior Citizen Monthly Fare	752.50	1,000.00	12,248.00	12,000.00	248.00
Disabled Rider Fare	1,377.25	1,500.00	20,112.51	18,000.00	2,112.51
Student Fares	(1,050.00)	300.00	(1,718.50)	3,600.00	(5,318.50)
Total Farebox and Tickets	26,654.98	23,000.00	312,049.06	291,000.00	21,049.06
Shuttle and Excursions					
Shopping Shuttle	1,260.00	1,000.00	14,260.00	12,000.00	2,260.00
Excursion Revenue	378.00		3,145.00	2,400.00	745.00
Total Shuttle and Excursions	1,638.00	1,000.00	17,405.00	14,400.00	3,005.00
Other Revenue					
Sale of Fuel to City Departments	38,499.22	25,000.00	357,947.34	300,000.00	57,947.34
Sale of Maintenance Service to City	492.80	2,000.00	31,203.19	24,000.00	7,203.19
Advertising Revenue-Bus	7,176.00	5,000.00	76,220.99	60,000.00	16,220.99
Rental of Inncity Terminal		800.00	8,000.00	9,600.00	(1,600.00)
Sale of Vehicles and Equipment			1,427.50		1,427.50
Sale of Scrap Materials	122.47		791.14		791.14
Interest Income	1,113.39	500.00	9,456.00	6,000.00	3,456.00
Photo Picture ID Revenue		25.00	98.00	300.00	(202.00)
Other Non-Tranp. Revenue	0.01	25.00	247.65	300.00	(52.35)
Total Other Revenue	47,403.89	33,350.00	485,391.81	400,200.00	85,191.81
Total Operational Income	75,696.87	57,350.00	814,845.87	705,600.00	109,245.87
Operating Assistance					
City of Manchester	89,557.62	89,553.00	1,074,691.00	1,074,691.00	
Town of Bedford	3,400.00	3,400.00	41,100.00	40,800.00	300.00
State of New Hampshire			34,153.60		34,153.60
Federal Operating Subsidy	140,974.00	106,934.00	1,379,396.00	1,283,120.00	96,276.00
Total Operating Assistance	233,931.62	199,887.00	2,529,340.60	2,398,611.00	130,729.60
Total Revenue	309,628.49	257,237.00	3,344,186.47	3,104,211.00	239,975.47
Expenses					
Labor					
Transit Operator Wages	55,859.67	57,051.00	685,790.89	673,684.00	12,106.89
Transit Operator Overtime Wages	6,810.38	5,244.00	66,885.23	60,735.00	6,150.23
StepSaver Operator Wages	10,166.50	11,542.00	139,188.07	133,991.00	5,197.07
StepSaver Operator Overtime Wages	2,021.23	2,653.00	13,323.06	31,583.00	(18,259.94)
Mechanic Wages	11,474.94	13,329.00	137,352.19	158,095.00	(20,742.81)
Mechanic Overtime Wages	42.15		8,626.25		8,626.25
Transp. Admin Wages	9,950.52	9,411.00	108,177.28	111,717.00	(3,539.72)
Transp. Admin Overtime Wages	779.90	269.00	6,529.54	3,239.00	3,290.54
Maint. Admin Wages	3,230.44	3,725.00	39,256.40	44,162.00	(4,905.60)
General Admin Wages	7,313.17	5,843.00	80,998.99	70,163.00	10,835.99
Gen. Admin Overtime Wages	46.55	77.00	1,362.30	968.00	394.30
Payroll Transaction			298.46		298.46

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Manchester Transit Authority
Income Statement Transit
For the Twelve Months Ending June 30, 2006

	<u>Current</u>	<u>Budget</u>	<u>YTD</u>	<u>YTD</u> <u>Budget</u>	<u>YTD</u> <u>Net Change</u>
Total Labor	\$107,695.45	\$109,144.00	\$1,287,788.66	\$1,288,337.00	(\$548.34)
Fringe Benefits					
Health Insurance Expense	44,682.08	40,631.00	533,833.20	487,418.00	46,415.20
Dental Insurance Expense	1,175.03		14,868.35		14,868.35
Life Insurance Expense	880.44	668.00	8,017.42	7,983.00	34.42
Pension Expense	5,790.00	6,370.00	74,070.00	76,440.00	(2,370.00)
FICA Expense	9,590.48	9,694.93	121,436.36	114,920.39	6,515.97
Worker's Compensation	4,892.00	4,649.00	52,272.02	55,244.00	(2,971.98)
Unemployment Compensation	(285.02)	435.00	2,444.50	5,253.00	(2,808.50)
Transit Operator Vacation Wages	5,934.61	4,516.00	55,131.37	54,148.00	983.37
Transit Operator Holiday Wages	1,783.38	3,528.00	44,687.08	45,873.00	(1,185.92)
Transit Operator Sick Wages	3,684.55	2,641.00	52,245.88	31,758.00	20,487.88
Mechanic Vacation Wages	1,461.42	1,594.50	21,957.98	19,134.00	2,823.98
Mechanic Holiday Wages	502.03	1,143.87	14,143.64	13,726.00	417.64
Mechanic Sick Wages	2,787.91	95.37	15,257.05	1,144.00	14,113.05
Transp. Admin Vacation Wages	1,012.37	1,076.63	11,282.30	12,920.00	(1,637.70)
Transp. Admin Holiday Wages	807.81	703.13	10,616.06	8,438.00	2,178.06
Transp. Admin Sick Wages	415.44	210.88	4,578.47	2,531.00	2,047.47
Maint. Admin Vacation Wages	1,253.51	291.87	7,676.63	3,502.00	4,174.63
Maint. Admin Holiday Wages	384.54	379.38	5,092.50	4,553.00	539.50
Maint. Admin Sick Wages		87.62	350.64	1,051.00	(700.36)
Gen Admin. Vacation Wages	506.12	677.00	8,196.58	8,124.00	72.58
Gen. Admin Holiday Wages	447.50	442.87	7,857.20	5,314.00	2,543.20
Gen. Admin Sick Wages	165.52	132.87	496.56	1,594.00	(1,097.44)
Transit Uniform Allowance	1,676.34	781.00	11,525.30	9,350.00	2,175.30
Maintenance Uniform Allowance	776.54	630.00	3,362.18	6,552.00	(3,189.82)
Tool Allowance		113.00	999.88	1,400.00	(400.12)
License Reimbursement		25.00	365.00	300.00	65.00
Burden Adjustment	(12,474.39)	(14,551.00)	(154,384.03)	(174,634.00)	20,249.97
Total Fringe Benefits	77,850.21	66,966.92	928,380.12	804,036.39	124,343.73
Services					
Management Consultant	11,706.62	12,138.00	132,236.94	145,700.00	(13,463.06)
Commissioner Expense	70.30	87.00	536.51	1,000.00	(463.49)
Auditing Expense			5,305.50	4,800.00	505.50
Legal Expense	184.70	500.00	6,697.40	6,000.00	697.40
Service Bureau	136.66	1,000.00	6,964.43	12,000.00	(5,035.57)
Security Service	49.64	100.00	1,416.43	1,200.00	216.43
Outside Advertising	2,435.92	337.00	18,286.59	4,000.00	14,286.59
Driver and Criminal Record			308.00		308.00
Drug & Alcohol Testing		337.00	6,790.00	4,000.00	2,790.00
Pre-Employment Medical	535.00	87.00	675.00	1,000.00	(325.00)
Janitorial Service and Supplies	1,040.49	662.00	9,322.74	7,900.00	1,422.74
Bank Service Charges	649.99	500.00	7,927.53	6,000.00	1,927.53
Total Services	16,809.32	15,748.00	196,467.07	193,600.00	2,867.07
Materials and Supplies					
Fuel Operations	22,790.67	14,561.00	225,497.76	170,028.00	55,469.76
Sale of Fuel to City Departments	39,303.83	25,000.00	346,191.85	300,000.00	46,191.85
Maintenance Parts	8,513.19	10,304.00	77,958.04	120,928.00	(42,969.96)
Purchase Discounts	(103.63)	(250.00)	(1,731.55)	(3,000.00)	1,268.45
Tires Expense	924.00	1,353.00	9,195.78	15,793.00	(6,597.22)
Oil and Grease	885.63	245.00	4,280.73	2,849.00	1,431.73
Maintenance Supplies	637.71	641.00	11,518.03	7,670.00	3,848.03

Manchester Transit Authority
Income Statement Transit
For the Twelve Months Ending June 30, 2006

	<u>Current</u>	<u>Budget</u>	<u>YTD</u>	<u>YTD Budget</u>	<u>YTD Net Change</u>
Body Shop Supplies	\$742.99	\$142.00	\$13,059.17	\$1,770.00	\$11,289.17
Hazardous Materials	98.48	244.00	628.78	2,950.00	(2,321.22)
Outside Parts and Labor	50.00	38.00	701.60	500.00	201.60
Repairs-Inner City Terminal		250.00	493.68	3,000.00	(2,506.32)
Repairs-Building and Grounds	1,793.78	1,425.00	20,669.80	17,100.00	3,569.80
Repairs-Shop Equipment	222.17	190.00	3,517.38	2,280.00	1,237.38
Repairs-Radio Equipment		87.00	259.03	1,000.00	(740.97)
Repairs-Office Equipment	323.87	213.00	4,089.70	2,600.00	1,489.70
Office Supplies	330.14	670.00	10,760.57	8,040.00	2,720.57
Transit Schedules and Tickets		576.00	510.33	7,000.00	(6,489.67)
Total Materials and Supplies	76,512.83	55,689.00	727,600.68	660,508.00	67,092.68
Utilities					
Electricity	3,785.95	1,900.00	26,562.81	22,800.00	3,762.81
Natural Gas	225.87	1,277.00	14,244.31	15,390.00	(1,145.69)
Telephone	550.33	591.00	7,763.50	7,125.00	638.50
Water	162.60	137.00	2,180.75	1,710.00	470.75
Total Utilities	4,724.75	3,905.00	50,751.37	47,025.00	3,726.37
Insurance					
Public Liability Insurance	11,764.00	10,581.00	141,177.00	126,994.00	14,183.00
Other Liability	903.00	1,374.00	11,404.23	16,488.00	(5,083.77)
Total Insurance	12,667.00	11,955.00	152,581.23	143,482.00	9,099.23
Other Expenses					
Dues and Memberships	500.00	87.00	817.36	1,000.00	(182.64)
Tolls and Parking	39.00		244.50		244.50
Training and Meetings	151.10	250.00	3,137.30	3,000.00	137.30
Grievance Expense		32.00	175.00	450.00	(275.00)
Depreciation	28,000.00	29,155.00	336,000.00	349,893.00	(13,893.00)
Total Other Expenses	28,690.10	29,524.00	340,374.16	354,343.00	(13,968.84)
Total Expenses	324,949.66	292,931.92	3,683,943.29	3,491,331.39	192,611.90
Net Income (Loss)	(15,321.17)	(35,694.92)	(339,756.82)	(387,120.39)	47,363.57



School

June 2006

Manchester Transit Authority
Income Statement School
For the Twelve Months Ending June 30, 2006

	<u>Current</u>	<u>Budget</u>	<u>YTD</u>	<u>YTD</u> <u>Budget</u>	<u>YTD</u> <u>Net Change</u>
Student Transportation					
Pupil Contract	\$177,931.98	\$187,550.00	\$1,803,325.36	\$1,875,500.00	(\$72,174.64)
Manchester Skill Center	14,339.20	4,453.00	155,855.54	142,498.00	13,357.54
Special Needs	16,029.90	12,824.00	150,859.27	149,613.00	1,246.27
Student Tickets	3,525.00	3,600.00	48,276.00	36,000.00	12,276.00
Total Student Transportation	211,826.08	208,427.00	2,158,316.17	2,203,611.00	(45,294.83)
School Charter					
Student Athletics	3,453.50	12,000.00	129,005.57	121,000.00	8,005.57
Student Fieldtrips	41,113.00	44,000.00	141,517.25	144,000.00	(2,482.75)
Total School Charters	44,566.50	56,000.00	270,522.82	265,000.00	5,522.82
Other Revenue					
Fuel Adjustment Clause	18,266.93		18,266.93		18,266.93
Sale of Vehicles and Equipment			5,682.50		5,682.50
Interest Income	295.70	100.00	1,559.72	1,200.00	359.72
Other Non-Transp. Revenue	1.00		477.73		477.73
Total Other Revenue	18,563.63	100.00	25,986.88	1,200.00	24,786.88
Total Operational Income	274,956.21	264,527.00	2,454,825.87	2,469,811.00	(14,985.13)
Expenses					
Labor					
School Operator Wages	68,295.86	50,044.00	868,330.62	846,084.00	22,246.62
School Operator Overtime Wages	2,428.99	6,508.00	24,973.80	67,296.00	(42,322.20)
Transit Operator Wages	53.88	389.00	293.30	6,335.00	(6,041.70)
Transit Operator Overtime Wages			208.32		208.32
Mechanic Wages	7,007.00	9,262.00	113,658.43	109,863.00	3,795.43
Transp. Admin Wages	6,761.96	7,063.00	96,688.49	83,772.00	12,916.49
Transp. Admin Overtime Wages	198.90	269.00	2,005.39	3,239.00	(1,233.61)
Maint. Admin Wages	3,035.03	3,330.00	37,324.05	37,794.00	(469.95)
General Admin Wages	3,315.75	4,537.00	41,076.02	52,959.00	(11,882.98)
Gen. Admin Overtime Wages	210.85	52.00	272.92	613.00	(340.08)
Payroll Transaction	(188.04)		(188.04)		(188.04)
Total Labor	91,120.18	81,454.00	1,184,643.30	1,207,955.00	(23,311.70)
Fringe Benefits					
Health Insurance Expense	187.64		(748.49)		(748.49)
Dental Insurance Expense	(10.58)		548.00		548.00
FICA Expense	7,533.44	5,708.82	82,102.46	86,965.81	(4,863.35)
Worker's Compensation	3,254.00	2,809.00	37,661.00	42,465.00	(4,804.00)
School Operator Vacation Wages	251.00	752.00	8,534.00	10,040.00	(1,506.00)
School Operator Holiday Wages	3,352.95	8,233.00	28,557.31	28,815.00	(257.69)
School Uniform Allowance		338.00	313.06	4,100.00	(3,786.94)
Maintenance Uniform Allowance			50.00		50.00
Tool Allowance			199.99		199.99
License Reimbursement	400.00	125.00	3,045.00	1,500.00	1,545.00
Burden Adjustment	12,474.39	14,551.00	154,384.03	173,152.00	(18,767.97)
Total Fringe Benefits	27,442.84	32,516.82	314,646.36	347,037.81	(32,391.45)
Services					

E

Manchester Transit Authority
Income Statement School
For the Twelve Months Ending June 30, 2006

	Current	Budget	YTD	YTD Budget	YTD Net Change
Management Consultant	\$11,706.62	\$12,138.00	\$132,256.94	\$145,700.00	(\$13,443.06)
Commissioner Expense	70.29	87.00	547.56	1,000.00	(452.44)
Auditing Expense	20.01		7,978.26	7,200.00	778.26
Legal Expense		500.00	9,831.14	6,000.00	3,831.14
Service Bureau	163.77	1,500.00	12,895.90	18,000.00	(5,104.10)
Security Service	45.84	150.00	779.25	1,800.00	(1,020.75)
Outside Advertising	751.76	1,250.00	8,072.85	15,000.00	(6,927.15)
Driver and Criminal Record		150.00	2,317.00	1,800.00	517.00
Drug & Alcohol Testing	990.00	674.00	8,830.00	8,000.00	830.00
Pre-Employment Medical	250.00	676.00	810.00	8,200.00	(7,390.00)
Janitorial Service and Supplies	1,020.49	662.00	6,616.73	7,900.00	(1,283.27)
Bank Service Charges	90.50	75.00	965.40	900.00	65.40
Total Services	15,109.28	17,862.00	191,901.03	221,500.00	(29,598.97)
Materials and Supplies					
Fuel Operations	21,935.12	11,399.00	203,129.56	171,282.00	31,847.56
Maintenance Parts	3,308.76	4,134.00	48,849.70	62,135.00	(13,285.30)
Tires Expense		1,160.00	11,720.81	17,460.00	(5,739.19)
Oil and Grease	265.83	234.00	3,238.19	3,480.00	(241.81)
Maintenance Supplies	141.25	446.00	6,640.53	5,330.00	1,310.53
Body Shop Supplies	129.12	97.00	3,268.21	1,230.00	2,038.21
Hazardous Materials	68.44	169.00	436.94	2,050.00	(1,613.06)
Outside Parts and Labor		38.00		500.00	(500.00)
Repairs-Building and Grounds	134.78	1,075.00	6,240.15	12,900.00	(6,659.85)
Repairs-Shop Equipment	149.90	147.00	2,142.95	1,720.00	422.95
Repairs-Radio Equipment		87.00	423.86	1,000.00	(576.14)
Repairs-Office Equipment	298.98	200.00	4,028.65	2,400.00	1,628.65
Office Supplies	349.84	1,005.00	6,246.42	12,060.00	(5,813.58)
School Schedules and Tickets		576.00	5,500.60	7,000.00	(1,499.40)
Total Materials and Supplies	26,782.02	20,767.00	301,866.57	300,547.00	1,319.57
Utilities					
Electricity		1,437.00	18,635.02	17,200.00	1,435.02
Natural Gas	184.82	962.00	11,548.48	11,610.00	(61.52)
Telephone	450.31	447.00	5,902.35	5,375.00	527.35
Water	133.05	102.00	1,311.69	1,290.00	21.69
Total Utilities	768.18	2,948.00	37,397.54	35,475.00	1,922.54
Insurance					
Public Liability Insurance	17,547.00	26,723.00	210,550.00	320,731.00	(110,181.00)
Other Liability	886.00	1,160.00	10,364.04	13,920.00	(3,555.96)
Total Insurance	18,433.00	27,883.00	220,914.04	334,651.00	(113,736.96)
Other Expenses					
Dues and Memberships	1,415.00	163.00	4,454.97	2,000.00	2,454.97
Tolls and Parking	2.00		25.50		25.50
Training and Meetings	527.00	337.00	4,609.82	4,000.00	609.82
Grievance Expense		32.00		450.00	(450.00)
Depreciation	21,000.00	20,000.00	252,000.00	240,000.00	12,000.00
Total Other Expenses	22,944.00	20,532.00	261,090.29	246,450.00	14,640.29
Total Expenses	202,599.50	203,962.82	2,512,459.13	2,693,615.81	(181,156.68)

Manchester Transit Authority
Income Statement School
For the Twelve Months Ending June 30, 2006

	<u>Current</u>	<u>Budget</u>	<u>YTD</u>	<u>YTD</u> <u>Budget</u>	<u>YTD</u> <u>Net Change</u>
Net Income (Loss)	<u>\$72,356.71</u>	<u>\$60,564.18</u>	<u>(\$57,633.26)</u>	<u>(\$223,804.81)</u>	<u>\$166,171.55</u>

Commissioners Memorandum

To: Commissioners
 From: Evan Rosset, Operations Planning Manager
 Date: July 21, 2006
 Re: Transit Ridership Report – June 2006



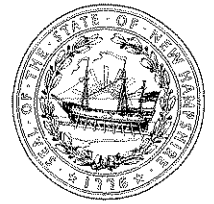
	<u>June</u>			<u>FYTD</u>			
<u>Routes</u>	Weekdays	2005	2006	FY 2005	FY 2006		
	Saturdays	21	22				
		4	4	% Change	% Change		
Airport- Route #1		1024	941	-8.11%	10,272	9,690	-5.67%
Lake-Hanover St. Route #2		2685	3,540	31.84%	33,211	35,683	7.44%
Goffsfalls Route #3		1428	1,715	20.10%	13,551	18,637	37.53%
Page-Elliot Route #4		1937	2,037	5.16%	19,662	22,396	13.90%
Pinard-Bremer Route #5		1351	1,185	-12.29%	11,788	13,553	14.97%
Gossler-St. Anselm Route #6		2130	2,817	32.25%	23,121	29,507	27.62%
VA Hospital Route #7		2368	2,881	21.66%	21,425	29,238	36.47%
So. Willow Route #8		3917	4,148	5.90%	36,095	44,228	22.53%
DW Highway-River Rd. Route #9		2665	2,572	-3.49%	22,666	28,022	23.63%
Valley-Weston Rd. Route #10		3789	4,234	11.74%	36,739	42,069	14.51%
Front St. Route #11		1480	1,927	30.20%	17,291	22,911	32.50%
So. Beech Route #12		3541	3,556	0.42%	32,762	36,064	10.08%
Bedford Mall Route #13		4716	5,381	14.10%	47,938	50,507	5.36%
UPass Riders - NHCTC			128			1,248	
Vista Shuttle		494	254	-48.58%	5,158	4,773	-7.46%
Hannaford Shuttle		622	437	-29.74%	5,936	7,117	19.90%
Stop & Shop Shuttle			96			818	
VERIZON SHUTTLE		295	0	-100.00%	7,379	1,884	-74.47%
(number of events)		5	0	-100.00%			
Weekday Fixed Route Totals		34,442	37,721	9.52%	341,974	397,370	16.20%
Saturday Fixed Route Totals		4,585	3,352	-26.89%	35,218	42,014	19.30%
MTA Specials & Excursions		5	42		420	241	
Fixed Route Weekday Average		1,640	1,715	4.54%	1,478	1,530	3.48%
Total Transit Passengers Served		39,032	41,115	5.34%	377,612	439,625	16.42%
Total StepSaver Passengers Served		785	889	13.25%	9158	10,224	11.64%

The attached graph shows system-wide ridership trends.

Evan Rosset
 Operations Planning Manager



The State of New Hampshire
Department of Environmental Services



Michael P. Nolin
Commissioner

August 9, 2006

Dear Sir or Madam:

On May 26, 2006, Governor Lynch signed into law House Bill 1455 (The Electronics Waste Bill) which is a ban on the disposal of video display devices in landfills and incinerators. A video display device is an image projecting device greater than 4 inches in diagonal measure. This would include computer monitors, televisions, liquid crystal displays and plasma displays. The primary reason for this ban is that these devices contain a considerable amount of lead which can be released to the environment under the right conditions. This ban goes into effect on July 1, 2007. The New Hampshire Department of Environmental Services is sending this letter to inform you of the ban and to explain what we can do to assist you in establishing a recycling program. Many of you already have a ban in place if you contract with any of the Waste Management Inc. companies in the state to take care of your solid waste. Neither the Turnkey Landfill in Rochester or the two Wheelabrator incinerators will accept these devices and have sent their customers letters informing them of this fact.

Many municipalities are already offering recycling opportunities for these devices to their citizens. There are a number of companies, brokers and cooperatives in New Hampshire that offer the electronics recycling as part of their services. In addition, many of the computer manufacturers have take-back programs available. These companies are listed on the NHDES website under http://des.nh.gov/SWTAS/comp_recyclers.htm and the take-back programs are listed under <http://www.des.nh.gov/SWTAS/takeback.htm>. Beginning September 1, 2006, NHDES will make these lists available under the "What's New" section of the main webpage. (Copies of the webpages are included in this letter.)

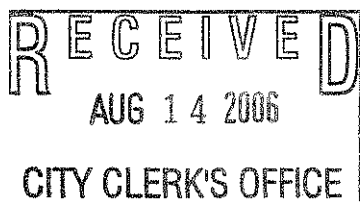
In the near future, with the cooperation of the manufacturers and retailers, NHDES will be using public service announcements to inform the public of the ban and of recycling options. We will also be providing municipalities with posters and brochures that can be used to provide awareness of the ban. Massachusetts has had a ban in place since 2001 and a large recycling industry has been established there. Over 95% of the population of Massachusetts has ready access to electronics recycling. We expect the same will happen in New Hampshire.

The average video display device occupies about 2.5 cubic feet of space and contains between 4 and 8 pounds of lead. Landfill space in New Hampshire is at a premium. Indeed, by the year 2017, we will have insufficient space for our solid waste unless substantial increases in recycling occur and new facilities are created. This ban will help create a recycling market for these bulky and potentially hazardous materials. The Department of Environmental Services Solid Waste Technical Assistance group, in cooperation with the electronics manufacturers, retailers and recyclers will assist you in providing access to recycling for your citizens. Please feel free to contact me at (603)271-3713 or by email at dmaurer@des.state.nh.us if you have any questions or concerns about this announcement.

Sincerely,

Donald E. Maurer
Principal Planner
Waste Prevention & Technical Information Bureau

Encl: 3



P.O. Box 95, 29 Hazen Drive, Concord, New Hampshire 03302-0095

Telephone: (603) 271-2900 • Fax: (603) 271-2456 • TDD Access: Relay NH 1-800-735-2964

DES Web site: www.des.nh.gov



New Hampshire Department of Environmental Services

The list below presents commercial demanufacturers and charitable organizations that accept computer equipment, with a particular emphasis on computer monitors and televisions. There are more specialized facilities, such as repair and resale, which will likely be added at a later date. This list is constantly changing. Should you wish to make additions, changes or deletions, please contact Donald Maurer at 271-3713 or by email at dmaurer@des.state.nh.us. As with any other vendor lists distributed by the department, the DES does not endorse or retain responsibility for the services provided in this document. They are merely suggested resources for those interested in finding appropriate facilities to manage their solid wastes. Updated August 2006

Vendor	Type of Facility	Contact	Materials	Service Sector
Alimar Technology Corp	Processing Facility	Ronan O'Doherty Alimar Technology Corp 309 State Route 125 Brentwood, NH 03883 Tel: 603-679-2990-Ext. 10 Fax: 603-679-2550 ronan@alimartech.com	PCs, mainframes, CRTs. Other Recyclables	Business-yes Municipalities-yes Homeowner-yes
Conigliaro Industries, Inc.	Processing Facility	Greg Conigliaro 701 Waverly Street Framingham, Ma 01702-8512 Tel: 508 - 872-9668 Fax: 508 - 653-6672 sales@conigliaro.com	PCs, mainframes, CRTs. Other Recyclables	Business-yes Municipalities-yes Homeowner-please call
Colt Refining	Processing Facility	Jim Maher 12A Star Drive Merrimack, NH 03054 Tel: 603-429-9966 Fax: 603-429-3255 sales@coltrefining.com	PCs, mainframes, CRTS (No TVs)	Business-yes Municipalities-yes Homeowner-please call
Complete Recycling Solutions, LLC	Processing Facility	Keith Boyea One Father DeValles Blvd. Fall River, MA 02723 1-866-277-9797 www.crsrecycle.com	PCs, mainframes, CRTS (monitors and TVs) , Printers	Business-yes Municipalities-yes Homeowner-yes
Good Point Recycling	Asset Recovery Donations Processing Facility	American Retroworks, Inc. <i>dba</i> Good Point Recycling PO Box 1010 Middlebury, VT 05753 Tel: 802-382-8500 info@good-point.net	PCs, mainframes, copiers, CRTs (monitors and TVs). Other Recyclables	Business-yes Municipalities-yes* Homeowner-yes *Can organize municipal collections.
Electronicycle	Processing Facility	Dick Peloquin 107 North Spencer Road Spencer, MA 01562-1109 Tel: 800-829-5082 Fax: 508-885-5533 info@electronicycle.com	PCs, mainframes, copiers, CRTs (monitors and TVs)	Business-yes Municipalities-yes* Homeowner-yes *Can organize municipal collections.
ITExpeditors	Asset Recovery Processing Facility Donations	Christopher Frasier, President 41 Industrial Drive Exeter, NH Tel. 603-772-3940 Fax.603-772-3977 Chris@itexpeditors.com	PCs, mainframes, CRTs (monitors and TVs)	Business-yes Municipalities-yes* Homeowner-yes** *Can organize municipal collections. **Drop-off service available for working/repairable computers
Lifecycle	Asset Recovery Processing Facility	Thomas F. Coots, CEO 14 Continental Blvd Merrimack, NH 03054 Tel: 603-262-9266 Ext. 101 Fax: 603-262-6261 www.lifecyclepartners.com	PCs, mainframes, CRTs (monitors and TVs), other electronics, office equipment, manufacturing equipment and test equipment	Business-yes Municipalities-yes

Vendor	Type of Facility	Contact	Materials	Service Sector
Newcore Asset Services, Inc.	Asset Recovery Processing Facility	Brad Wiggin Newfields Light and Industrial Park 27 Pleasant Street Newfields, NH 03856 Phone: (603) 772-7070 Fax: (603) 772-4629 brad@newcoreasset.com	PCs, mainframes, copiers, CRTs (monitors and TVs)	Business-yes Municipalities-call Homeowner-yes* *Drop-off Service by appointment
Northeast Resource Recovery Association	Cooperative Broker	9 Bailey Road Chichester, NH 03258 Tel: (603) 798-5777 Fax: (603) 798-5744 nrra@tds.net	Municipal Electronics	Business-call Municipalities-yes* Homeowner-no *Can organize municipal collections.
Onyx Special Services	Processing Facility	218 Canton Street Stoughton, MA 02072-2219 1-800-478-6055	PCs, mainframes, CRTS (monitors and TVs).	Please call
Par Associates	Processing Facility	Peter Henenberg 300 Bedford Street Manchester, NH 03101 Tel: 603-623-2009 parelectronics@verizon.net	Specialized electronics, PCs, mainframes No CRTs	Business-yes Municipalities-call Homeowner-call
RMG Enterprise	Processing Facility Asset Recovery Solid Waste Permit #DES-SW-SP-03-003	Bob Galinaro 113 Hillside Ave. Londonderry, NH 030563 Tel: 603-434-9414 Fax: 603-882-9087 info@rmgenterprise.com	PCs, mainframes, copiers, CRTs (monitors and TVs)	Business-yes Municipalities-yes* Homeowner-yes** *Can organize municipal collections. **Drop-off service on Fridays from 1-5 or by appointment
RST Reclaiming Co., Inc.	Processing Facility	66-B River Road Hudson, NH 03051-5225 603-595-8708	PCs, mainframes, copiers, CRTs (monitors and TVs)	Business-yes Municipalities-yes Homeowner-call
Spacefitters, Inc.	Asset Recovery Processing Facility	68 Nutmeg Road South South Windsor, CT 06074-3469 Contact: Jay Slater Phone: 860-290-3801 slaterj@spacefitters.com	PCs, mainframes	Business-yes Municipalities-call Homeowner-no
Tombarello Recycling	Processing Facility	Contact: George Tombarello 35 Woodworkers Way Seabrook, NH 03874 Tel: 603-474-8821 george@tecrem.com	PCs, mainframes, CRTS	Please call
WorkWaste, LLC -	Asset recovery	Contact: Margaret Averill 26 Columbia Circle Unit E Merrimack, NH 03054 Tel: 603-423-0000, 603-423-1016 Fax: 603-423-1010 www.workwaste.com	PCs, mainframes, CRTs (monitors and TVs), other electronics, office equipment manufacturing equipment and test equipment	Business-yes Municipalities-yes Homeowner-yes
Wuf Technologies	Broker	7 South State Street Suite 2 Concord, NH 03301 Tel: 603-224-7959 Fax: 603-229-1960 mail@wuftech.com	Varies	Business-yes Municipalities-yes Homeowner-no



New Hampshire Department of Environmental Services

Waste Management

Solid Waste Technical Assistance Section

DELL's COMPUTER TAKEBACK PROGRAM

Recycling your old Dell for free

Dell will soon take back all Dell products for FREE

Starting in September 2006, Dell will take back any Dell product for free, even if you aren't buying a new one. You have to send it back to them, but they pay for shipping. See details below under "How to send your stuff back."

Recycling for free when you are buying a new Dell

Dell takes back any company's equipment for free when you buy a new Dell computer

You must buy your new computer from the home/home office part of their website. (This doesn't apply to business sales.)

If you are ordering your computer on-line, you can request a free recycling kit by selecting the option called "*Recycle my old system with Dell (Free).*" If you order on the phone, ask your sales rep to include the recycling kit with your order. Your new PC will arrive with a Dell recycling envelope containing 2 pre-paid air bills and instructions on how to pack and ship your old equipment.

Recycling non-Dell equipment any time

Dell will take back any company's old computers for \$10, even if you aren't buying a new one.

You simply order a Dell recycling kit on-line for \$10 per box (up to 50 lbs), which includes the shipping costs.

How to send your stuff back to Dell

You will need to provide your own box and packing materials. You order a Dell recycling kit on Dell's website (or select it as part of your purchase). Dell will send you prepaid air bills and instructions for how to pack your items, and for scheduling the shipper to pick your items up at your house. To order free takeback of Dell products, you will be asked to enter a code from the asset tag of each Dell product you want to recycle.

What does Dell take back?

Computers, keyboards, mice, monitors, printers

Who can use Dell's recycling service?

Individual consumers only.

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What about business customers?

Businesses can use Dell's asset recovery system to sell old equipment. Details are on their [asset recovery website](#).

Read the small print
(Details you need to know)

Free takeback with purchase applies only if you buy from Dell's Home/Home Office website. Some "consumers" buy from Dell's small business website, but these are not eligible for the free takeback with purchase program.

Link for more details

Dell Recycling Website. Go to www.dell4me.com/recycling

HP's COMPUTER TAKEBACK PROGRAM

How to get FREE recycling from HP

HP doesn't offer free takeback on their products unless you are buying new ones.

HP charges for their recycling service, but if you are buying a new HP product, you can usually apply an E-Coupon that you get from recycling to cover most or all of this recycling cost.

How to use HP's recycling system

HP will take back a big range of equipment. (It doesn't have to be HP equipment.) HP has an on-line system to "order" recycling services. You fill out the checklist of equipment you want to recycle, and they will charge you according to the items on your checklist. (To recycle a desktop computer plus a monitor costs \$46, as of June 2006.)
<https://warp1.external.hp.com/recycle/>

HP will send you a recycling kit, including prepaid shipping air bills and packing instructions. You will need to provide your own box and packing materials. HP's shippers pick up your items from you. About a week later, HP will send you an e-coupon that you can apply to purchases made on HP's Home/Home Office sales website. Currently, the coupon value for recycling a monitor and computer (for which you paid \$46) is \$50. So it covers the cost of recycling.

Trade in your old equipment toward new HP purchase

Sometimes you can trade in your old equipment (HP and other manufacturers') and apply a trade-in allowance towards new purchases from HP. HP offers trade-in allowances on a wide range of products: desktop computer, notebook, PC server, monitor, printer, plotter, copier, digital camera, PDA, projector, networking, and data-storage products. You can get an immediate on-line quote on your equipment's trade-in value at their trade-in site:
http://www.hp.com/united-states/tradein/home_flash.html

What does HP take back?

Printers, scanners, fax machines, personal computers, desktop servers, monitors, handheld devices, etc. – along with related external components such as cables, mice, keyboards.

F

Who can use HP's recycling services?

Anyone can use it. But e- coupons for recycling credit are available to individual consumers only, buying from the home/home office sales website.

What about business customers?

Businesses can use HP's asset recovery system to sell old equipment to offset recycling costs. Details are on their [asset recovery site](#).

Read the small print
(Details you need to know)

HP's system makes you send back your stuff first, then you get the coupon towards purchasing new equipment. If you want to send back a computer, you can't really send your current computer back before you get your new one (since you will need to transfer your data). So this system works best either to recycle your older equipment or for a discount (with the coupon) towards your next purchase. It won't work as a rebate on your recent purchase.

Link for more details

HP's Recycling Website: <https://warpl.external.hp.com/recycle/>

APPLE's COMPUTER TAKEBACK PROGRAM

How to get FREE recycling from Apple

Apple offers free takeback and recycling to consumers who buy a new or Apple Certified refurbished computer or monitor from Apple stores, Apple phone sales or Apple's website. (This doesn't work for purchases from resellers, or in Hawaii or Alaska.)

When you purchase your Apple on-line, you can request recycling on the verification of the order page. If you buy at an Apple store or on the phone, tell the sales person you want to do this.

Apple will send you an email with instructions for how to pack and ship your old equipment to Apple's recycling center. Keep this email - you will need it for the free shipping codes, which expire in 30 days.

How to use Apple's recycling system without a new purchase

If you are not buying a new Apple computer, you can still use Apple's recycling program. You can send back any company's products, but it costs \$30 per box (up to 60 lbs). Order recycling services (and a prepaid UPS shipping label) on-line at: <http://www.recycleapc.com/apple/index.asp>

Trade in Apple Equipment

Currently, trade-in is offered only to educational institutions. <http://www.apple.com/education/shop/recycle/index.html>

How to send your stuff back to Apple

You will need to provide your own box and packing materials. You must place CPUs and monitors into two separate boxes. Weight limit per package is less than 70 lbs. Take the boxed equipment plus the email you got from Apple to FEDEX. The email has the codes you will need for free shipping. These codes are only GOOD FOR 30 DAYS, then they expire.

What does Apple take back?

Computers, monitors, cables, mice, keyboards, computer speakers, printers, scanners, floppy drives, optical media, external hard drives.

Who can use Apple's takeback services?

Individuals and small business. Not available in Hawaii or Alaska.

What about business customers?

For larger business and institutions, Apple offers other volume recycling options. Contact irecycle@apple.com.

Read the small print
(Details you need to know)

- Free shipping only works for 30 days after you get your email from Apple.
- There are many on-line and in-store sales outlets called Authorized Resellers, but purchases through these resellers do NOT qualify for free recycling. Refurbished sales must be "Apple Certified Refurbished" to qualify.
- They don't take back your stuff at the Apple retail stores.

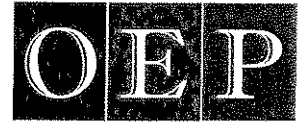
Link for more details

<http://www.apple.com/environment/recycling/program/index.html>



JOHN H. LYNCH
GOVERNOR

STATE OF NEW HAMPSHIRE
OFFICE OF ENERGY AND PLANNING
57 Regional Drive, Suite 3
Concord, NH 03301-8519
Telephone: (603) 271-2155
Fax: (603) 271-2615



www.nh.gov/oep

August 1, 2006

City of Manchester
Board of Mayor and Aldermen
One City Hall Plaza
Manchester, NH 03101-2097

Dear Board of Mayor and Aldermen:

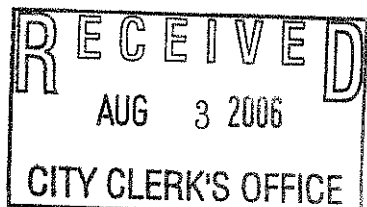
On June 7, 2006, the Federal Emergency Management Agency (FEMA) held two public workshops to inform representatives of Hillsborough County communities of the newly updated Flood Insurance Rate Maps that are proposed to become effective in May 2007. The new maps are a part of FEMA's National Map Modernization Program. Please visit our web site for more information at: www.nh.gov/oep/programs/floodplainmanagement/modernization.htm.

The most notable differences between the new maps and your current maps are that the new maps are now county-wide maps instead of just community-wide maps, and the base map is now an aerial photograph instead of a plain white background.

I have enclosed two handouts that were distributed at the workshops. One of the handouts details a timeline of events of the map adoption process. The other handout details a community's responsibilities for adopting the new maps, which is required for a community to remain in good standing in the National Flood Insurance Program. This handout also details the compliance review process our office will be conducting of each community's floodplain regulations. We have obtained a current copy of your community's floodplain regulations and will begin a compliance review of it soon.

The preliminary copies of the new maps are available for viewing at www.granit.sr.unh.edu/dfrms/Hillsborough.html. If you desire a hardcopy of the maps, please let me know. It is important for each community to review those portions of the maps that pertain to their community to ensure that any errors (i.e. road name mistakes) are identified. If any errors are found on the maps within your community, please correct the error on the map and send either the map or a copy of the portion of the map to the following person:

Jeff Burn
Watershed Concepts
99 High Street, 4th Floor
Boston, MA 02110
(617) 482-4930 x4752

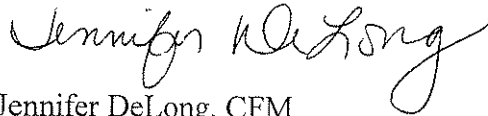


TDD Access: Relay NH 1-800-735-2964

G

If you have any questions regarding the new maps or adopting the new maps, please contact me at 271-2155 or at jennifer.delong@nh.gov.

Sincerely,



Jennifer DeLong, CFM
Assistant State Coordinator
National Flood Insurance Program

cc: Planning and Community Development
Southern NH Planning Commission

Enclosures

6

**Federal Emergency Management Agency (FEMA)
Map Adoption Steps & Appeals for
New Flood Insurance Rate Maps**

Hillsborough County

Milestones*

June 24, 2005	Letters mailed to communities regarding availability of the Preliminary Flood Insurance Study (FIS) and Preliminary Flood Insurance Rate Maps (FIRMs) for review and comment.
June 7, 2006	FEMA holds Community Coordination Meetings to explain what has been updated on the maps and the map adoption process.
June – July 2006	Each community sends their most current floodplain ordinance to the NH Office of Energy & Planning for compliance review.
August 2006	If applicable, FEMA sends a certified return receipt letter to the chief executive official (CEO) of a community informing the community of the new base flood elevations and information about the appeal process.
August 2006	If applicable, FEMA publishes a notice of the proposed base flood elevation determination for Hillsborough County in local area newspaper(s), and in the Federal Register.
October 2006	NH Office of Energy and Planning (OEP) sends each community a letter detailing any necessary changes to their floodplain ordinance.
August – November 2006 90-Day Appeal Period**	<p>After the appeal period, FEMA issues a Letter of Final Determination, which will be sent to the community's CEO, OEP, and all individual appellants.</p> <p>After the appeal period, FEMA publishes the final base flood elevations in the Federal Register.</p>
Nov. 2006 – May 2007 Six-Month Compliance Period	<p>Communities must adopt the new maps and any changes to their floodplain ordinance. A town clerk-certified copy of the updated floodplain ordinance has to be submitted to FEMA Region 1 before the maps become effective.</p> <p>Until FEMA is informed a community is compliant (has successfully completed the adoption process), the community will receive "90-Day" and "30-Day" letters reminding them that they have those many days until the maps go effective and to adopt the new maps.</p>
May 2007	<p>FIS and FIRMs become effective, which occurs 6 months after the Letter of Final Determination.</p> <p>Any community that has not adopted the new maps and submitted a certified copy of their updated floodplain ordinance to FEMA Region 1 by the end of the compliance period will be suspended from the National Flood Insurance Program.</p>

* Future dates are tentative and subject to change

** See next page for more details.

Appeal Period

- The 90-day appeal period begins after the 2nd notice is published in the local newspapers.
- An appeal must include scientific or technical data that tend to negate or contradict the proposed flood elevation findings.
- Appeals by citizens shall be submitted to the chief executive officer (CEO) of the community for review and determination if the scientific or technical grounds for an appeal warrants forwarding the appeal to FEMA.
- Any and all appeals by citizens or the community received within 90 days must be resolved, before the next step.
- The FEMA Administrator shall resolve such appeals by consultation with local officials, or by administrative hearings, or by submission of the contradictory data to an independent scientific body or appropriate Federal agency.
- After 90 days and after all appeals are resolved, FEMA will issue a Letter of Final Determination.
- Within 60 days of a Final Determination, an appeal may be filed with the U.S. District Court.

Hillsborough County Maps and Study Available for Viewing

Digital Flood Insurance Rate Maps – www.granit.sr.unh.edu/dfirms/Hillsborough.html

Flood Insurance Study - www.granit.sr.unh.edu/dfirms/FIS.html

Any questions or problems accessing the maps and study or if you desire a hardcopy, please contact:

Jennifer Merriam
GRANIT - Complex Systems Research Center
Morse Hall
University of New Hampshire
Durham, NH 03824

Phone: 603 862 1792

Email: Jennifer.Merriam@unh.edu

More Information

If you have any questions about the map adoption process, please contact the NH Office of Energy and Planning either by phone at 603-271-2155 or by email at jennifer.delong@nh.gov.

Federal Emergency Management Agency

Map Modernization Program

Required Adoption of New Maps by Municipalities

Municipalities are required to adopt the new maps once the Federal Emergency Management Agency (FEMA) issues an effective date. It is important that municipalities adopt the new Flood Insurance Rate Maps (FIRM) in their Floodplain Development Ordinance, which is usually included in the Zoning Ordinance. Municipalities must adopt prior to the effective date of the new maps in order to continue participating in the NFIP.

To assist municipalities in the adoption of the new maps, the New Hampshire Office of Energy and Planning (OEP) has developed model ordinance language for amending a Zoning Ordinance or Floodplain Development Ordinance. FEMA will notify each municipality of the effective dates to be inserted in this language. OEP recommends that municipalities consult with their legal counsel prior to using the following language.

The following regulations in this ordinance shall apply to all lands designated as special flood hazard areas by the Federal Emergency Management Agency (FEMA) in its "Flood Insurance Study for the County of _____, NH" dated (Insert Final Map Effective Date) or as amended, together with the associated Flood Insurance Rate Maps dated (Insert Final Map Effective Date) or as amended, which are declared to be part of this ordinance and are hereby incorporated by reference.

***** Please Note *****

Recent legislation (see attached) allows local floodplain ordinances to be amended by resolution of the local governing body of a municipality when adoption of amended flood insurance rate maps is required. No further action by the local legislative body is required. This legislation only allows for adoption of the maps by the governing body. Other amendments still must follow the zoning amendment process.

Floodplain Ordinance Compliance Review

As part of the national effort to update the FIRMs, OEP must conduct a compliance review of municipal floodplain ordinances as required by FEMA to ensure consistency between the local ordinances and requirements of the NFIP. As a result, OEP will make recommendations to some municipalities for amendments to their floodplain ordinances. Affected municipalities will need to adopt these revisions prior to the effective date of the new maps in order to continue participating in the NFIP.

Consistent with RSA 675:3 (for cities or for towns with councils, see RSA 675:2), the planning board will need to hold a public hearing on the proposed changes to your ordinance, but it is recommended that all of the changes be combined into a single warrant article for action by the voters at the annual town meeting. The question presented to the voters can be simple and direct, and does not need to include the text of the amendments themselves. The following is a sample question that may be used:

"Are you in favor of the adoption of Amendment No. ____ as proposed by the planning board for the town zoning ordinance as follows: amend the floodplain ordinance as necessary to comply with requirements of the National Flood Insurance Program?"

The format to use should be similar to this, but does not need to be identical. The purpose of the question is to inform the voters, but with the understanding that the public will have already had an opportunity to participate in the planning board's public hearing, at which time the actual content of the changes would have been discussed.

Ordinance Request

Municipalities are asked to mail or email their floodplain ordinance to OEP **by July 31, 2006** at the following address to begin the ordinance review process.

Jennifer DeLong
Office of Energy and Planning
57 Regional Drive, Suite 3
Concord, NH 03301
jennifer.delong@nh.gov

Any questions about the map adoption process please email or call Jennifer DeLong at (603) 271-2155.

CHAPTER 176

HB 1330 – FINAL VERSION

11May2006... 2102eba

2006 SESSION

06-2288

06/04

HOUSE BILL **1330**

AN ACT clarifying the laws relative to municipal enrollment in the National Flood Insurance Program and relative to adopting flood insurance rate map amendments.

SPONSORS: Rep. Rodeschin, Sull 2; Rep. Patten, Carr 4; Rep. Hogancamp, Ches 4; Rep. McRae, Hills 7; Rep. D. Eaton, Ches 2; Sen. Eaton, Dist 10; Sen. Morse, Dist 22; Sen. D'Allesandro, Dist 20; Sen. Flanders, Dist 7; Sen. Odell, Dist 8

COMMITTEE: Municipal and County Government

ANALYSIS

This bill:

- I. Clarifies the authority of municipalities to enroll in the National Flood Insurance Program.
- II. Enables the adoption of flood insurance rate map amendments by resolution of the local governing body.
- III. Ratifies previously adopted municipal floodplain ordinances.

Explanation: Matter added to current law appears in *bold italics*.

Matter removed from current law appears ~~[in brackets and struck through.]~~

Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

11May2006... 2102eba

06-2288

06/04

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Six

AN ACT clarifying the laws relative to municipal enrollment in the National Flood Insurance Program and relative to adopting flood insurance rate map amendments.

Be it Enacted by the Senate and House of Representatives in General Court convened:

176:1 Intent. The intent of this act is to clarify the authority of municipalities to adopt floodplain ordinances pursuant to enrolling in the National Flood Insurance Program, to enable the adoption of flood insurance rate map amendments by resolution of the local governing body, and to ratify the past actions of municipalities in adopting local floodplain ordinances and maps. The general court recognizes that municipalities that fail to adopt amendments to the flood insurance rate maps as required for their participation in the National Flood Insurance Program risk suspension from that program by the federal government.

176:2 New Subdivision; Floodplains. Amend RSA 674 by inserting after section 55 the following new subdivision:

Floodplains

674:56 Floodplain Ordinances. Municipalities may adopt floodplain ordinances as part of their enrollment in the National Flood Insurance Program. Such ordinances shall be adopted pursuant to the authority granted under RSA 674:16 and 17, and shall be adopted and amended pursuant to the procedures in RSA 675 for the adoption and amendment of zoning ordinances. Municipalities may adopt floodplain ordinances either as an amendment to an existing zoning ordinance or as a separate ordinance. A municipality which adopts a floodplain ordinance which is separate from its zoning ordinance or without otherwise having adopted a zoning ordinance, shall observe all legal and procedural requirements for the floodplain ordinance that would be required for a zoning ordinance, including the creation of a board of adjustment. If a municipality has adopted a zoning ordinance either before or after the adoption of a floodplain ordinance, the board of adjustment shall be the same for both ordinances.

674:57 Flood Insurance Rate Maps. In a municipality which has enrolled in the National Flood Insurance Program (NFIP), special flood hazard areas shall be as designated on flood insurance rate maps issued by the Federal Emergency Management Agency. Amendments to the flood insurance rate maps shall apply to local floodplain ordinances upon their adoption by resolution of the local governing body of a municipality and shall require no further action by the local legislative body. Map amendments are subject to appeal by owners and lessees of affected real property under 44 C.F.R. 67.5.

176:3 Ratification of Previously Adopted Floodplain Ordinances. The following municipalities and political subdivisions have previously adopted floodplain ordinances and are enrolled in the National Flood Insurance Program (NFIP). The general court hereby ratifies the following previously adopted floodplain ordinances as legal:

Municipality: Acworth, Albany, Allenstown, Alstead, Alton, Amherst, Andover, Antrim, Ashland, Auburn, Barnstead, Barrington, Bartlett, Bath, Bedford, Belmont, Bennington, Berlin, Bethlehem, Boscawon, Bow, Bradford, Brentwood, Bridgewater, Bristol, Brookfield, Brookline, Campton, Canaan, Canterbury, Carroll, Charlestown, Chester, Chesterfield, Chichester, Claremont, Colebrook, Columbia, Concord, Conway, Cornish, Dalton, Danbury, Danville, Deerfield, Deering, Derry, Dover, Dummer, Dunbarton, Durham, East Kingston, Easton, Enfield, Epping, Epsom, Errol, Exeter, Farmington, Fitzwilliam, Frankestown, Franconia, Franklin, Freedom, Fremont, Gilford, Gilsum, Goffstown, Gorham, Goshen, Grantham, Greenfield, Greenland, Greenville, Groton, Hampstead, Hampton, Hampton Falls, Hancock, Hanover, Hart's Location, Haverhill, Hebron, Henniker, Hill, Hillsborough, Hinsdale, Holderness, Hollis, Hooksett, Hopkinton, Hudson, Jackson, Jaffrey, Jefferson, Keene, Kingston, Laconia, Lancaster, Lebanon, Lee, Lincoln, Lisbon, Litchfield, Littleton, Londonderry, Loudon, Lyme, Madison, Manchester, Marlborough, Marlow, Mason, Meredith, Merrimack, Middleton, Milan, Milford, Milton, Moultonborough, Nashua, New Boston, New Castle, New Durham, New Hampton, New Ipswich, New London, Newbury, Newfields, Newmarket, Newport, North Hampton, Northfield, Northumberland, Northwood, Nottingham, Orford, Ossipee, Pelham, Pembroke, Peterborough, Piermont, Pittsfield, Plainfield, Plaistow, Plymouth, Portsmouth, Raymond, Rindge, Rochester, Rollinsford, Roxbury, Rye, Salem, Salisbury, Sanbornton, Sandown, Sandwich, Seabrook, Seabrook Beach Village District, Shelburne, Somersworth, South Hampton, Stark, Stewartstown, Strafford, Stratford, Stratham, Sugar Hill, Sullivan, Sunapee, Sutton, Swanzey, Tamworth, Thornton, Tilton, Troy, Tuftonboro, Wakefield, Walpole, Warner, Warren, Waterville Valley, Weare, Webster, Wentworth, Westmoreland, Whitefield, Wilnot, Wilton, Winchester, Windham, Wolfeboro, and Woodstock.

176:4 Effective Date. This act shall take effect upon its passage.

Approved: May 25, 2006

Effective: May 25, 2006

17

July 19, 2006

Board of Mayor & Aldermen
C/O Office of the City Clerk
One City Hall Plaza
Manchester, NH 03101

Re: Manchester Employees' Contributory Retirement System

Honorable Members:

I am a Trustee of the City's Retirement System but am writing this letter as a voter and resident in Ward 1 of the City.

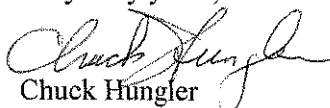
There has been a lot of discussion lately in regards the conflict of interest of City Officials serving on the Board. I think the bigger issue is the unilateral authority for the MECRS to bind the City for COLA's without any approval from the BMA.

First, let me say that the present composition of the MECRS Board is made up of seven very dedicated, conscientious members who take their job very seriously. (This might not be the case in the future). This year there was lively debate covering a few meetings regarding the granting of a COLA. Based on the Administrative Rules, an increase of 3.5% could have been given but the Board choose instead to grant a 2.25% COLA. For each 1%, the cost to the City would be \$600,000+/- without approval from the BMA. This will not affect the rate until 7/1/07. For your information, the rate the City pays for the year stating July 1, 2006 is 12.04% of which 1.41% is for the health subsidy.

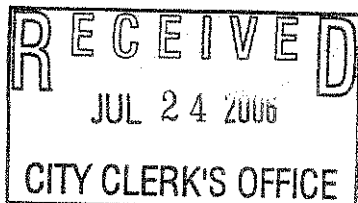
I feel as a citizen and taxpayer of the City that there should be negotiations between the MECRS & the City as to a COLA that is fair and equitable to both the retirees and taxpayers of Manchester before a rate is set. It is true that the plan will include a funding mechanism of 2% (of which 1% is included in the current rate). An additional .5% will be included in the next two years. This does not guarantee a COLA in future years but could be used to reduce the unfunded actuarial accrued liability which at December 31, 2005 was 77% and will probably go lower this year because of many factors such as SB 402 service upgrades, COLA's, investment returns and other uncertainties.

The BMA should also consider the unfair position of deducting the employee share of the health subsidy from part-time employees and then denying them the opportunity to apply for health insurance on retirement.

Very truly yours,



Chuck Hungler
355 Straw Hill
Manchester, NH 03104





City of Manchester
New Hampshire

In the year Two Thousand and Six

AN ORDINANCE

“Amending Sections 33.024, 33.025, & 33.026 (Systems/Programming Manager-
Systems/Development Manager, Computer Programmer-Applications
Developer/Analyst) of the Code of Ordinances of the City of Manchester.”

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester,
as follows:

SECTION 33.024 CLASSIFICATION OF POSITIONS be amended as follows:

Delete Systems/Programming Manager, Class Code 2210
Establish Systems/Development Manager, Class Code 2210

Delete Computer Programmer, Class Code 2180
Establish Applications Developer/Analyst, Class Code 2180

SECTION 33.025 COMPENSATION OF POSITIONS be amended as follows:

Delete Systems/Programming Manager, Class Code 2210, Grade 23
Establish Systems/Development Manager, Class Code 2210, Grade 23

Delete Computer Programmer, Class Code 2180, Grade 18

Establish Applications Developer/Analyst, Class Code 2180, Grade 19

SECTION 33.026 CLASS SPECIFICATIONS be amended as follows

Change Class Specification for Systems/Programming Manager to
Systems/Development Manager, Class Code 2210, Grade 23, exempt (see
attachment)

Change Class Specification for Computer Programmer to Applications
Developer/Analyst, Class Code 2180, Grade 19 non-exempt (see
attachment)

This Ordinance shall take effect upon its passage and all Ordinances or parts of
Ordinances inconsistent therewith are hereby repealed.



City of Manchester, New Hampshire

Class Specification

This is a class specification and not an individualized job description. A class specification defines the general character and scope of responsibilities of all positions in a job classification, but it is not intended to describe and does not necessarily list every duty for a given position in a classification.

Class Title	Systems/Programming Manager	
Class Title	Systems/Development Manager	
Class Code Number	2210-23	

General Statement of Duties

Manages and supervises computer programming, computer operations, systems analysis applications development/analysis, Web services administration, GIS services administration and computer operations staff, and related functions; performs related work as required.

Distinguishing Features of the Class

The principal function of an employee in this class is to ensure computer applications operate in service of City Departments. The work is performed under the supervision and direction of the Information Services Director but extensive leeway is granted for the exercise of independent judgement and initiative. Supervision is exercised over the work of employees in the class of Computer Operator I and II, Computer Programmer, Computer Programmer/Analyst, Applications Developer/Analyst, Senior Applications Developer/Analyst, Web Services Administrator, GIS Services Administrator and related technical personnel. The nature of the work performed requires that an employee in this class establish and maintain effective working relationships with other information technology personnel, other City employees, technical vendors and the public. The principal duties of this class are performed in a general office environment.

Examples of Essential Work (illustrative only)

- Supervises ~~applications~~ application development, Web administration, GIS administration and operations staff, including coordinating data processing, reviewing applications and support requests, assigning work to staff, testing data to ensure program integrity and providing technical advice to staff as necessary;
- Serves as the City's project manager for the implementation and administration of City-wide systems, including coordinating training; monitoring, scheduling and implementing software revisions; problem resolution with vendors and users; overseeing transfer of information and service delivery from existing systems to new systems; and developing programs to extract information from existing systems as necessary;
- Maintains systems software, including operating systems, databases, compilers and utilities;
- Inspects, evaluates, determines and diagnoses systems failures and initiates corrective processes;
- Directs, implements and oversees maintenance and repair procedures on systems and equipment;
- Prepares plans, technical reports, statistical data and records on systems use;
- Writes detailed technical specifications for proposals and bids, evaluates proposals and administers contracts;
- Participates in the development of policies and procedures relating to the security of microcomputers, network applications and disaster recovery;
- Prepares budget for assigned area;
- Maintains and modifies vendor software packages;
- Analyzes, reviews, writes and/or rewrites programs for new requirements or to increase operational efficiency;
- Designs procedure, operation and user manuals and provides subsequent training;
- Applies expert systems analysis and design techniques to complex system development in a broad or specialized design area and/or resolves unique or unyielding problems in existing systems by applying new technology;
- Designs and monitors necessary testing and implementation plans;
- Performs other duties of technical analytical personnel as necessary;
- Provides needed information and demonstrations concerning how to perform certain work tasks to new employees in the division;
- Keeps immediate supervisor and designated others fully and accurately informed concerning work progress, including present and potential work problems and suggestions for new or improved ways of addressing such problems;
- Attends meetings, conferences, workshops and training sessions and reviews publications and audio-visual materials to become and remain current on the principles, practices and new developments in assigned work areas;

I

- Responds to questions and comments from City department heads and other users in a courteous and timely manner;
- Communicates and coordinates regularly with appropriate others to maximize the effectiveness and efficiency of interdepartmental operations and activities;
- Performs other directly related duties consistent with the role and function of the classification.

**Required Knowledge, Skills and Abilities
(at time of appointment)**

- Comprehensive knowledge of assigned system needs, including user requirements, priorities, and interests;
- Comprehensive knowledge of City computing resources and related networks;
- Comprehensive knowledge of computer application design and programming practices and procedures;
- Comprehensive knowledge of computer system programming languages used by the City;
- Comprehensive knowledge of data processing practices and procedures;
- Comprehensive knowledge of data processing troubleshooting principals and practices;
- Comprehensive knowledge of computer equipment application software and operating systems;
- Comprehensive knowledge of information technology system concepts;
- Comprehensive knowledge of computer terminal usage;
- Ability to analyze and comprehend various administrative and business operations and to apply computer technology to those operations;
- Ability to provide expertise on application software, computer languages and operating systems;
- Ability to train, supervise, evaluate and coordinate the work of others;
- Ability to establish and maintain effective working relationships with associates, City employees and outside vendors;
- Ability to understand and adapt to different governmental business activities easily;
- Ability to analyze and understand user needs underlying assigned system development requests;
- Ability to communicate effectively with others, both orally and in writing, using both technical and non-technical language;
- Ability to understand and follow oral and/or written policies, procedures and instructions;
- Ability to prepare and present accurate and reliable reports containing findings and recommendations;
- Ability to operate a personal computer using standard or customized software applications appropriate to assigned tasks;
- Ability to use logical and creative thought processes to develop solutions according to written specifications and/or oral instructions;
- Ability to perform a wide variety of duties and responsibilities with accuracy and speed under the pressure of time-sensitive deadlines;
- Ability and willingness to quickly learn and put to use new skills and knowledge brought about by rapidly changing information and/or technology;

- Integrity, ingenuity and inventiveness in the performance of assigned tasks.

Acceptable Experience and Training

- Graduation from an accredited college or university with a Bachelors Degree in Computer Science or related field; and
- Considerable experience in developing and maintaining computer programs and applications; or
- Any equivalent combination of experience and training which provides the knowledge, skills and abilities necessary to perform the work.

Required Special Qualifications

- None.

Essential Physical Abilities

- Sufficient clarity of speech and hearing or other communication capabilities, with or without reasonable accommodation, which permits the employee to communicate effectively;
- Sufficient vision or other powers of observation, with or without reasonable accommodation, which permits the employee to review a wide variety of materials in electronic or hardcopy form;
- Sufficient manual dexterity with or without reasonable accommodation, which permits the employee to access computer program information and to operate related equipment;
- Sufficient personal mobility and physical reflexes, with or without reasonable accommodation, which permits the employee to transport assigned equipment as necessary to perform timely computer program review and troubleshooting procedures, and to function within the general office environment.

Approved by: _____ Date: _____



City of Manchester, New Hampshire

Class Specification

This is a class specification and not an individualized job description. A class specification defines the general character and scope of responsibilities of all positions in a job classification, but it is not intended to describe and does not necessarily list every duty for a given position in a classification.

Class Title	<u>Applications Developer/Analyst</u> Computer Programmer
Class Code Number	<u>21800-1819</u>

General Statement of Duties

Develop, deploy, and support Information Technology (I.T.) business software applications~~Programs~~
~~Information Technology (I.T.) applications~~; performs directly related work as required.

Distinguishing Features of the Class

The principal function of an employee in this class is to develop, deploy, and support business software applications to meet business objectives~~to program software systems to meet user needs~~. "Develop" means to analyze needs, determine best approach, design (program) new applications, configure vendor-supplied applications, and provide post-deployment support and maintenance. - The work is performed under the supervision and direction of the Senior Applications Developer/Analyst~~the Computer Programmer/Analyst~~ and the Systems/Programming Manager but considerable leeway is granted for the exercise of independent judgement and initiative. The nature of the work performed requires that an employee in this class establish and maintain effective working relationships with other information technology personnel, other City employees, technical vendors and the public. The principal duties of this class are performed in a general office environment.

Examples of Essential Work
(illustrative only)

- Applies appropriate application development standard programming procedures and detailed knowledge of pertinent subject matter in an assigned programming area;
- Designs, writes software ~~Develops, codes and tests~~ computer applications and related software systems;
- Designs and deploys computer applications as assigned, interacting with users or based on supervisor direction;
- Tests application program components to meet system design requirements;
- Provides technical support on application software programming systems and related business issues to City department personnel;
- Acts as technical liason/advocate for City users to third-party software vendors;
- Recognizes probable interactions of related software systems ~~other related programs~~ with assigned projects programs and is familiar with current computing systems, software environments, infrastructure, and equipment currently in use by the City ~~related system software and computer equipment~~;
- Solves conventional programming and development problems;
- Participates in system design and testing for new or modified systems in coordination with the Senior Applications Developer/Analyst ~~Computer Programmer/Analyst~~;
- Performs troubleshooting, ~~and file recovery, and debugging~~ as needed;
- Coordinates project activities with other City personnel involved in information services activities;
- Participates in training programs;
- Prepares progress reports and other documents in conformance with assigned procedures;
- Provides needed information and demonstrations concerning how to perform certain work tasks to new employees in the department;
- Keeps immediate supervisor and designated others fully and accurately informed concerning work progress, including present and potential work problems and suggestions for new or improved ways of addressing such problems;
- Attends meetings, conferences, workshops and training sessions and reviews publications and audio-visual materials to become and remain current on the principles, practices and new developments in assigned work areas;
- Responds to questions and comments from City department heads and other users in a courteous and timely manner;
- Communicates and coordinates regularly with appropriate others to maximize the effectiveness and efficiency of interdepartmental operations and activities;
- Performs other directly related duties consistent with the role and function of the classification.

Required Knowledge, Skills and Abilities
(at time of appointment)

- Thorough knowledge of assigned system and application program needs, including design concepts, and user requirements;
- Thorough knowledge of City computing resources, ~~and~~ related networks, and policies;
- Thorough knowledge of software development environments, tools, languages, and resources in use ~~a wide variety of computer system programming languages used by the City;~~
- Thorough knowledge of computer application design and programming practices and procedures;
- Thorough knowledge of information technology practices, ~~and~~ procedures, trends, and principles;
- Thorough knowledge of the operation of centralized and workstation ~~micro~~-computer equipment and software;
- Thorough knowledge of application software troubleshooting ~~principles techniques~~ and practices;
- ~~Thorough~~ Substantial knowledge of relational database terminology, design, usage, security, operation, maintenance and querying ~~(including SQL);~~
- Thorough knowledge of Structured Query Language (SQL) and database management system (DBMS) capabilities;
- Substantial knowledge of computing and application architecture methodologies (including but not limited to web-based, fat client, client-server, n-tier design);
- Substantial knowledge of project management principles and techniques;
- Substantial knowledge of extensible markup language (XML), hypertext markup language (HTML), and scripting languages;
- Ability to create efficient codes to accomplish system design and program performance objectives;
- Ability to communicate effectively with others, both orally and in writing, using both technical and non-technical language as required by the situation;
- Ability to understand and follow oral and/or written policies, procedures and instructions;
- Ability to prepare and present accurate and reliable reports containing findings and recommendations;
- Ability to operate a ~~personal~~-computer using standard or customized software applications appropriate to assigned tasks;
- Ability to fully understand various integrated development environments, programming languages, algorithms, and techniques ~~various programming languages;~~
- Ability to use logical and creative thought processes to develop solutions according to written specifications and/or oral instructions;
- Ability to perform a wide variety of duties and responsibilities with accuracy and speed under the pressure of time-sensitive deadlines;
- Ability and willingness to quickly learn and put to use new skills and knowledge brought about by rapidly changing information and/or technology;

- Integrity, ingenuity and inventiveness in the performance of assigned tasks.

Acceptable Experience and Training

- Graduation from an accredited college or university with a Bachelors Degree in Computer Science; and
- Considerable experience in developing, designing, deploying and supporting business software and maintaining computer programs and applications; or
- Any equivalent combination of experience and training which provides the knowledge, skills and abilities necessary to perform the work.

Required Special Qualifications

- None.

Essential Physical Abilities

- Sufficient clarity of speech and hearing or other communication capabilities, with or without reasonable accommodation, which permits the employee to communicate effectively;
- Sufficient vision or other powers of observation, with or without reasonable accommodation, which permits the employee to review a wide variety of materials in electronic or hardcopy form;
- Sufficient manual dexterity with or without reasonable accommodation, which permits the employee to access computer program information and to operate related equipment;
- Sufficient personal mobility and physical reflexes, with or without reasonable accommodation, which permits the employee to transport assigned equipment as necessary to perform timely computer program review and troubleshooting procedures, and to function within the general office environment.

Approved by: _____ Date: _____

City of Manchester New Hampshire

In the year Two Thousand and six

AN ORDINANCE

"Amending Section 33.062 (D), Part-Time Employees, of the Code of Ordinances of the City of Manchester."

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester, as follows:

I. Amend Section 33.062 (D) Part-Time Employees, of the Code of Ordinances of the City of Manchester by deleting language stricken (---) and inserting new language as bolded (**bold**). Language of Section 33.062 (D) not struck through or bolded remains unchanged.

§ 33.062 (D) PART-TIME EMPLOYEES

(D) An employee who is employed to work thirty-two hours per week in a position that does not have an end date, shall be required to participate in the Contributory Retirement System unless the position is designated as a Group II position. (Current part-time employees who are working less hours, and who are currently contributing to the Contributory Retirement System, may continue to so.) Said employees shall be eligible to participate in the health insurance program upon retirement.

II. This Ordinance shall take effect upon its passage and all Ordinances or parts of Ordinances inconsistent therewith are hereby repealed.



CITY OF MANCHESTER

Human Resources Department

One City Hall Plaza
Manchester, New Hampshire 03101
Tel: (603) 624-6543 (V/TTY) • Fax: (603) 628-6065
www.ManchesterNH.gov



July 25, 2006

Alderman Ted Gatsas, Chairman
Human Resource and Insurance Committee
City of Manchester
One City Hall Plaza
Manchester, New Hampshire 03101

Re: Items 9 and 10 on the Agenda

Dear Alderman Gatsas and Members of the Committee:

There are two items on the Agenda that can be addressed by passing the attached Ordinance. Specifically, Item 9 was proposed originally to prohibit part time employees from being able to enroll in our health insurance program upon retirement. Item 10, was tabled at our last meeting. This Item was proposed to establish the minimum number of hours a part time employee must work in order to participate in the Contributory Retirement System.

After our last meeting, it was pointed out to me that it would be improper to prohibit current part time employees who are contributing to the Retirement System from purchasing health insurance upon retirement. Current part time employees are required to contribute five percent (5%) of their earnings as are full time employees. This contribution increased from 3.5 % to 5% as of July 1, 2006 for the purpose of contributing to the health insurance subsidy. Since the part time employees are contributing to the health insurance subsidy, it would be improper to prohibit them from being able to purchase the health insurance at retirement.

The enabling legislation for the Manchester Contributory Retirement System, provides for participation in that system for both full time and part time employees. It is up to the City to determine how many hours a part time employee must work in order to participate. As per the Human Resource and Insurance Committee's request, I was instructed to find out how many hours other cities and towns require part time employees to work in order to participate in their retirement programs. According to what I have learned, if they choose to provide retirement, the other cities and towns participate in the State Retirement System. The State Retirement System will not let anyone participate unless they are a full time employee.

Alderman Ted Gatsas

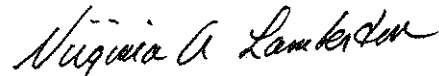
- 2 -

July 25, 2006

In consideration of all of the information above, it is my recommendation to add Section (D) to the current Ordinance 33.062. This would make it clear as to how many hours a part time employee must work (prospectively) in order to participate in the Contributory Retirement System and thus the health insurance upon retirement.

Your favorable approval of the attached Ordinance would be greatly appreciated.

Respectfully submitted,

A handwritten signature in cursive script that reads "Virginia A. Lamberton".

Virginia A. Lamberton
Human Resources Director

Attachment

City of Manchester New Hampshire

In the year Two Thousand and Six

A RESOLUTION

“Authorizing Bonds, Notes or Lease Purchases in the amount of Four Hundred Thousand Dollars (\$400,000) for the 2007 CIP 511207, Derryfield Country Club Rehabilitation Project.”

Resolved by the Board of Mayor and Aldermen of the City of Manchester as follows:

SECTION 1. That there be and hereby is authorized under and pursuant to the Municipal Finance Act, and any other enabling authority, the issuance and sale of general obligation serial bonds, notes or lease purchases of the City in the aggregate principal amount of Four Hundred Thousand Dollars (\$400,000) at one time or from time to time as one or more separate bond, note or lease purchase issues for purposes stated in Section 3 of said Act, as more specifically hereinafter indicated. The bonds, notes or lease purchases of each issue shall bear the City Seal, shall be signed by the manual or facsimile signature of the Mayor, countersigned by the manual or facsimile signature of the Finance Officer and shall be payable in such annual installments as shall be determined by the Finance Officer with the approval of the Mayor. Except as otherwise provided by law and this Resolution, discretion to fix the date, maturities, denomination, place of payment, form and other details of each issue of said bonds, notes or lease purchases and of providing for the sale thereof is hereby delegated to the Finance Officer.

SECTION 2. That the proceeds of said bonds, notes or lease purchases be and they are hereby appropriated for the purpose of financing costs of the following public works and improvements of a permanent nature, hereby authorized namely,

<u>Purpose</u>	<u>Amount</u>
2007 CIP 511207, Derryfield County Club Rehabilitation Project	\$400,000

It is hereby declared that the public works and improvements to be financed by said bonds, notes or lease purchases have a useful life in excess of 15 years.

SECTION 3. That the Finance Officer, with the approval of the Mayor, is hereby authorized to issue at one time or from time to time notes in anticipation of said bonds, notes or lease purchases and to renew or refund the same under and pursuant to and to the extent authorized by RSA 33:7a.

SECTION 4. That an amount sufficient to pay the principal of and interest on said bonds, notes or lease purchases payable in each year during which they are outstanding be and hereby is appropriated and, to the extent other funds are not available for such purpose, said amount shall be included in the tax levy for each year until the debt represented by said bonds, notes or lease purchases is extinguished.

City of Manchester New Hampshire

In the year Two Thousand and Six

A RESOLUTION

“Authorizing Bonds, Notes or Lease Purchases in the amount of Four Hundred Thousand Dollars (\$400,000) for the 2007 CIP 511207, Derryfield Country Club Rehabilitation Project.”

Resolved by the Board of Mayor and Aldermen of the City of Manchester as follows:

SECTION 5. That the bonds, notes or lease purchases herein authorized may be consolidated with any other issue of bonds, notes or lease purchases heretofore or hereafter authorized, provided that the last annual installment of any such consolidated issue shall be payable not later than the date on which the last annual installment of the bonds, notes or lease purchases herein authorized must be payable pursuant to this Resolution.

SECTION 6. This Resolution shall take effect upon its passage.

K

City of Manchester New Hampshire

In the year Two Thousand and Six

A RESOLUTION

“Amending the FY 2007 Community Improvement Program, authorizing and appropriating funds in the amount of Four Thousand Five Hundred Dollars (\$4,500) for the FY2007 CIP 214007 Southern NH Area Health Education Center Program,”

Resolved by the Board of Mayor and Aldermen of the City of Manchester as follows:

WHEREAS, the Board of Mayor and Aldermen has approved the 2007 CIP as contained in the 2007 CIP budget; and

WHEREAS, Table 1 contains all sources of State, Federal and Other funds to be used in the execution of projects; and

WHEREAS, the Board of Mayor and Aldermen wishes to accept grant funds in the amount of \$4,500 from the Southern NH Area Health Education Center to provide education to students with asthma;

NOW, THEREFORE, be it resolved that the 2007 CIP be amended as follows:

By adding:

FY2007 CIP 214007 – Southern NH Area Health Education Center Program - \$4,500 Other

Resolved, that this Resolution shall take effect upon its passage.

City of Manchester New Hampshire

In the year Two Thousand and Six

A RESOLUTION

"Amending the FY 2007 Community Improvement Program, authorizing and appropriating funds in the amount of Five Thousand Five Hundred Thirty Nine Dollars (\$5,539) for the FY2007 CIP 410507 Justice Assistance Grant Program."

Resolved by the Board of Mayor and Aldermen of the City of Manchester as follows:

WHEREAS, the Board of Mayor and Aldermen has approved the 2007 CIP as contained in the 2007 CIP budget; and

WHEREAS, Table 1 contains all sources of State, Federal and Other funds to be used in the execution of projects; and

WHEREAS, the Board of Mayor and Aldermen wishes to accept grant funds from the U.S. Department of Justice Bureau of Justice Assistance to implement law enforcement functions;

NOW, THEREFORE, be it resolved that the 2007 CIP be amended as follows:

By increasing:

FY2007 CIP 410507 - Justice Assistance Grant Program - \$5,539 Federal
(from \$125,000 to \$130,539)

Resolved, that this Resolution shall take effect upon its passage.

K

City of Manchester New Hampshire

In the year Two Thousand and Six

A RESOLUTION

“Amending the FY2007 Community Improvement Program, authorizing and appropriating funds in the amount of One Thousand Dollars (\$1,000) for FY2007 CIP 510407 Fun In The Sun Program.”

Resolved by the Board of Mayor and Aldermen of the City of Manchester as follows:

WHEREAS, the Board of Mayor and Aldermen has approved the 2007 CIP as contained in the 2007 CIP budget; and

WHEREAS, Table 1 contains all sources of State, Federal and Other funds to be used in the execution of projects; and

WHEREAS, the Board of Mayor and Aldermen wishes to accept funds in the amount of \$1,000 from fund raising activities for the Fun In The Sun Program;

NOW, THEREFORE, be it resolved that the 2007 CIP be amended as follows:

By adding:

FY2007 CIP 510407 -- Fun In The Sun Program - \$1,000 Other

Resolved, that this Resolution shall take effect upon its passage.

City of Manchester New Hampshire

In the year Two Thousand and Six

A RESOLUTION

“Amending the FY2007 Community Improvement Program, authorizing and appropriating funds in the amount of Thirty Thousand Dollars (\$30,000.00) for the 2007 CIP 511507 Bass Island-Blacksmith Shop Environmental Site Assessment Project.”

Resolved by the Board of Mayor and Aldermen of the City of Manchester as follows:

WHEREAS, the Board of Mayor and Aldermen has approved the 2007 CIP as contained in the 2007 CIP budget; and

WHEREAS, Table 1 contains all sources of State, Federal and Other funds to be used in the execution of projects; and

WHEREAS, the Board of Mayor and Aldermen wishes to accept funds in the amount of \$30,000 from New Hampshire Department of Transportation for the purpose of conducting an environmental site assessment at Bass Island – Blacksmith Shop;

NOW, THEREFORE, be it resolved that the 2007 CIP be amended as follows:

By adding:

FY2007 CIP 511507 – Bass Island–Blacksmith Shop Environmental Site Assessment - \$30,000 NHDOT

Resolved, that this Resolution shall take effect upon its passage.

K

K

City of Manchester New Hampshire

In the year Two Thousand and Six

A RESOLUTION

“Amending the FY2005 and FY2007 Community Improvement Programs, transferring, authorizing and appropriating funds in the amount of Forty Four Thousand Two Hundred Sixty Nine Dollars and Forty Two Cents (\$44,269.42) for the FY2007 CIP 610407 Housing Rehab/Lead Hazard Control Program.”

Resolved by the Board of Mayor and Aldermen of the City of Manchester as follows:

WHEREAS, the Board of Mayor and Aldermen has approved the 2005 and 2007 CIPs as contained in the 2005 and 2007 CIP budgets; and

WHEREAS, Table 1 contains all sources of State, Federal and Other funds to be used in the execution of projects; and

WHEREAS, Table 2 contains all sources of Community Development Block Grant, Emergency Shelter Grant and HOME funds to be used in the execution of projects; and

WHEREAS, the Board of Mayor and Aldermen desires to transfer existing HOME funds and accept payment of loan proceeds in the amount of \$16,882 to be used in the Housing Rehab/Lead Hazard Control Program; and

WHEREAS, HOME funds from 612005 Housing Rehabilitation Program in the amount of \$27,387.42 are available;

NOW, THEREFORE, be it resolved that the 2005 and 2007 CIPs be amended as follows:

By decreasing:

FY2005 CIP 612005 Housing Rehabilitation Program - \$27,387.42 HOME (from \$100,000 to \$72,612.58)

By increasing:

FY2007 CIP 610407 Housing Rehab/Lead Hazard Control Program - \$44,269.42 from \$250,000 to \$294,269.42 (\$91,882 Affordable Housing Trust Fund; 127,387.42 HOME; \$75,000 CDBG)

Resolved, that this Resolution shall take effect upon its passage.

City of Manchester New Hampshire

In the year Two Thousand and Six

A RESOLUTION

“Amending the FY 2007 Community Improvement Program, authorizing and appropriating funds in the amount of Eleven Million Eight Hundred Sixty Eight Thousand Dollars (\$11,868,000) for FY2007 CIP 712907 Granite Street Widening Project.”

Resolved by the Board of Mayor and Aldermen of the City of Manchester as follows:

WHEREAS, the Board of Mayor and Aldermen has approved the 2007 CIP as contained in the 2007 CIP budget; and

WHEREAS, Table 1 contains all sources of State, Federal and Other funds to be used in the execution of projects; and

WHEREAS, the Board of Mayor and Aldermen desires to accept Federal Department of Transportation funds to assist in the reconstruction/widening of Granite Street;

NOW, THEREFORE, be it resolved that the 2007 CIP be amended as follows:

By adding:

FY2007 CIP 712907 – Granite Street Widening Project - \$11,868,000 Federal DOT
(Local required match authorized in prior years)

Resolved, that this Resolution shall take effect upon its passage.

K

City of Manchester New Hampshire

In the year Two Thousand and Six

A RESOLUTION

“Amending the FY2003 and 2007 Community Improvement Program, transferring, authorizing and appropriating funds in the amount of Forty Thousand Dollars (\$40,000.00) for the 2007 CIP 511407 Black Brook Dam Removal Engineering Project.”

Resolved by the Board of Mayor and Aldermen of the City of Manchester as follows:

WHEREAS, the Board of Mayor and Aldermen has approved the 2003 and 2007 CIP as contained in the 2003 and 2007 CIP budget; and

WHEREAS, Table 4 contains all sources of General Obligation funds to be used in the execution of projects; and

WHEREAS, the Board of Mayor and Aldermen desires to transfer existing Bond funds in the amount of \$40,000 for the removal of the Black Brook Dam; and

WHEREAS, funds from the South Willow FS Reroofing project in the amount of \$40,000.00 are available;

NOW, THEREFORE, be it resolved that the 2003 and 2007 CIP be amended as follows:

By decreasing:

FY2003 CIP 411303 – South Willow FS Reroofing & Masonry Repairs Project - \$40,000.00 Bond
(from \$291,000.00 Bond to \$251,000.00 Bond)

By adding:

FY2007 CIP 511407 – Black Brook Dam Removal Engineering Project - \$40,000.00 Bond

Resolved, that this Resolution shall take effect upon its passage.

City of Manchester New Hampshire

K

In the year Two Thousand and Six

A RESOLUTION

“Authorizing the Finance Officer to effect a transfer of Forty Thousand Dollars (\$40,000) for the 2007 CIP 511407 Black Brook Dam Removal Engineering Project.”

Resolved by the Board of Mayor and Aldermen of the City of Manchester as follows:

That: Pursuant to RSA 33:33-a there is hereby authorized to be expended for purposes stated in Section 3 of the Municipal Finance Act, the sum of Forty Thousand Dollars from the balance of bonds authorized as follows:

Section 1.

From:

2003 CIP 411303, South Willow FS Reroofing & Masonry Repairs Project

Amount Transferred: \$40,000

Original Resolution Adopted: October 1, 2002

Original Amount: \$375,000

To:

2007 CIP 511407 Black Brook Dam Removal Engineering Project

Section 2. Resolved, that this Resolution shall take effect upon its passage.

K

City of Manchester New Hampshire

In the year Two Thousand and Six

A RESOLUTION

“Authorizing the Finance Officer to effect a transfer of Four Thousand Seven Hundred and Seventeen dollars (\$4,717) from Contingency to Highway – Regular Salary.”

Resolved by the Board of Mayor and Aldermen of the City of Manchester as follows:

That the Finance Officer be and is hereby directed to effect a transfer from Contingency Adjustment as follows:

For extraordinary service monetary awards to Mr. Richard Robillard and Mr. James Doherty; awarded pursuant to the Bright Ideas Program.

Regular Salary	Account 5000C10110\$ 4,717
----------------	----------------------------------

Resolved, that this resolution shall take effect upon its passage.

L

To the Board of Mayor and Aldermen of the City of Manchester:


The Committee on Bills on Second Reading respectfully recommends, after due and careful consideration, that Ordinance:

“Authorizing the Mayor to dispose of certain tax deeded property located at Map 0372, Lot 0010-A, known as L Chenette Ave.”

ought to pass.

(Unanimous vote)

Respectfully submitted,



Clerk of Committee

L

City of Manchester New Hampshire

In the year Two Thousand and Six

AN ORDINANCE

"Authorizing the Mayor to dispose of certain tax deeded property located at Map 0372, Lot 0010-A, known as L Chenette Ave."

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester, as follows:

- I. That in accordance with New Hampshire RSA 80:80, the Mayor is authorized to convey a parcel of tax-deeded property known as Map 0372, Lot 0010-A, in the City of Manchester to Donald J. Pouliot and Nancy E. Pouliot of 95 Brent Street, Manchester, NH. The sale shall be evidenced by a deed without covenants and such other instruments as may be necessary to release all right, title, interest or claim in said parcel. Said property was acquired by the City of Manchester by virtue of Tax Collector's Deed, dated November 21, 1994, and recorded in the Hillsborough County Registry of Deeds, Volume 5593, Page 1655, on November 23, 1994. The purchase price of the parcel shall be Four Thousand One Hundred Fifty-dollars (\$4,150.00) an amount deemed reasonable by the Board of Assessors. Sale shall be contingent upon an agreement to merge Lot 10-A with Lot 10 of Tax Map 0372.
- II. This Ordinance shall remain in effect for six months from the date of passage.

L

To the Board of Mayor and Aldermen of the City of Manchester:

The Committee on Lands and Buildings respectfully recommends, after due and careful consideration, that the Board of Mayor and Aldermen find property located at L Chenette Street known as Map 0372, Lot 0010-A surplus to City needs and further that:

In accordance with RSA 80:80 the Mayor be authorized to dispose of certain property situated at L Chenette Avenue, known as Map 0372, Lot 0010-A by executing deeds releasing all rights, title interest, or claims in said property. Said property was acquired by the City of Manchester by virtue of Tax Collector's deed dated November 21, 1994, and recorded in the Hillsborough County Registry of Deeds, Volume 5593, Page 1655, on November 23, 1994.

The Committee advises that it finds just cause to dispose of such through sale to an abutter as the property can serve no public purpose, there is only one direct abutter to Lot 10A whose acquisition of said lot would adequately resolve a building encroachment problem. The Committee recommends sale to the abutters Donald J. Pouliot and Nancy E. Pouliot of 95 Brent Street conditional upon lot consolidation with Lot 10 at a price of Four Thousand One Hundred Fifty-dollars (\$4,150.00), a value deemed reasonable by the Board of Assessors.

The Committee further recommends that the Tax Collector and City Solicitor be authorized to proceed with disposition and prepare such documents as may be required, and that the Finance Officer be authorized to credit tax deed accounts as deemed necessary. Pursuant to Statute requirements, enclosed is an ordinance which is recommended for referral to the Committee on Bills on Second Reading.

(Unanimous vote)

At a meeting of the Board of Mayor and Aldermen
held July 11, 2006 on a motion of Ald. O'Neil
duly seconded by Ald. Long the report
of the Committee was accepted and its recommendations

(adopted) ~~(decided)~~

J.R. Berman
City Clerk

Respectfully submitted,

Carol Johnson
Clerk of Committee
Deputy

Law Offices
of
Bussiere & Bussiere
Professional Association
15 North Street
Manchester, New Hampshire 03104

EMILE R. BUSSIERE
EMILE R. BUSSIERE, JR.
KEITH F. DIAZ

Telephone (603) 622-1002
Facsimile (603) 668-6892

June 9, 2006

Via Fax Only (603) 624-6481

3 pages

City of Manchester
Attention: Leo Bernier, Clerk

Re: Donald J. Pouliot's and Nancy E. Pouliot's request to
purchase tax map 372 lot 10A

Dear Mr. Bernier:

Per my conversation with the Mayor's Office, I am faxing
herewith a copy of my letter dated June 2, 2006 regarding Don and
Nancy Pouliot's request for permission to purchase the two lots
referenced in said letter.

The purpose of this fax is to inform you that in said letter
I incorrectly identified the property as having an address of
85 Brent Street when, in actuality, the address of my clients'
property is 85 Cilley Road.

I hope this can still be placed on the next upcoming agenda
for the Board of Mayor and Aldermen.

Thank you for your attention to this matter.

Sincerely,

Emile R. Bussiere, Jr.
Emile R. Bussiere, Jr.

ERBJR:dpm
Enclosure
cc: clients (letter only)

Law Offices
of
Bussiere & Bussiere
Professional Association
15 North Street
Manchester, New Hampshire 03104

EMILE R. BUSSIERE
EMILE R. BUSSIERE, JR.
KEITH F. DIAZ

Telephone (603) 622-1002
Facsimile (603) 668-6892

June 2, 2006

City of Manchester
Board of Mayor and Aldermen
Attn: Mayor's Office
1 City Hall Plaza
Manchester, NH 03101

Re: Donald J. Pouliot's and Nancy E. Pouliot's request to
purchase tax map 372 lot 10A

Dear Board of Mayor and Aldermen:

Please be advised that I represent Donald J. Pouliot and
Nancy E. Pouliot with respect to their request to purchase tax
map 372 lot 10A from the City of Manchester.

My clients purchased the property located at 85 Brent Street
(Tax Map 372 Lots 10, 26, 26A & 28A) on December 21, 1993, their
deed being recorded December 22, 1993 in the Hillsborough County
Registry of Deeds at Book 5507 Page 344.

Thereafter, on November 23, 1994, the City of Manchester
obtained title to tax map 372 Lot 10A via a tax deed indicating
the property had been owned by an unknown owner. This deed is
recorded in the Hillsborough County Registry of Deeds at Book
5593 Page 1656. My clients were not aware that the transfer
occurred.

Unbeknownst to my clients when they acquired the property,
their real estate, specifically the building located on their
property, appears to encroach upon tax map 372 Lot 10A.

At this time, my clients would appreciate the opportunity to
purchase tax map 372 Lot 10A from the City of Manchester. The
parcel does not appear to have any value to the City of
Manchester or any one else given its size and location. Further,
my clients' desire in acquiring the lot is primarily, if not
totally, driven by their concern relative to the encroachment
issue raised above and the problems they might encounter if they
were to sell their parcel.

RECEIVED

JUN 05 2006

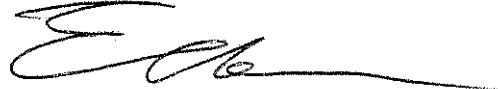
MAYOR'S OFFICE

L
City of Manchester
Board of Mayor and Aldermen
Attn: Mayor's Office
June 2, 2006
Page 2

It is requested that this matter be placed on the agenda for the next available meeting.

Thank you for your attention to this matter.

Sincerely,

A handwritten signature in black ink, appearing to read 'Emile R. Bussiere, Jr.', with a stylized, flowing script.

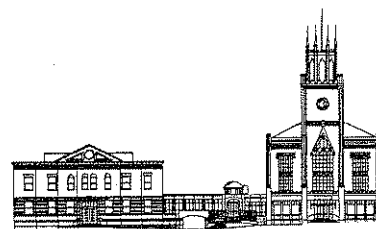
Emile R. Bussiere, Jr.

ERBJR:dpm
cc: clients



CITY OF MANCHESTER Board of Assessors

One City Hall Plaza, West Wing
Manchester, New Hampshire 03101
Tel: (603) 624-6520 – Fax: (603) 628-6288
Email: assessors@ci.manchester.nh.us
Web: www.ManchesterNH.Gov



David M. Cornell, Chairman
Thomas C. Nichols
Stephan W. Hamilton

Christine Hanagan
Assistant to Assessors

To: Committee on Lands and Buildings
From: Board of Assessors
Date: June 19, 2006
Re: Map 372 Lot 10A
Request to Purchase Property

The Assessors have completed an analysis of the estimated market value of the above-referenced property. The following is a summary of important facts and the value estimate:

Property Location	Chenette Ave (see attached aerial photograph)
Assessors Map/Lot	Map 372 Lot 10A
Property Owner	City of Manchester Tax Collector
Deed Book/Page	5593/1655
Date Acquired	November 21, 1994
Improved/Vacant	Vacant
Total Land Area	1038 square feet
Current Zoning	B-2
Overlay District	N/A
Easements/Restrictions	None Known
Utilities Available	Water and Electric
Total Current Assessment	The current assessment is \$2,500. Note: This is the 2001 revaluation figure.
Indicated Range of Value/Unit	\$4.00 per square foot
Indicated Range of Value	\$4,150 (rounded)
Comments	The value stated herein represents the value, as is, for 1038 square feet of land. Due to the small size and narrow shape of the lot, the property has limited utility. Therefore, the highest and best use of the lot is determined to be a merger with an abutting property.

Respectfully submitted,

David M. Cornell
David M. Cornell

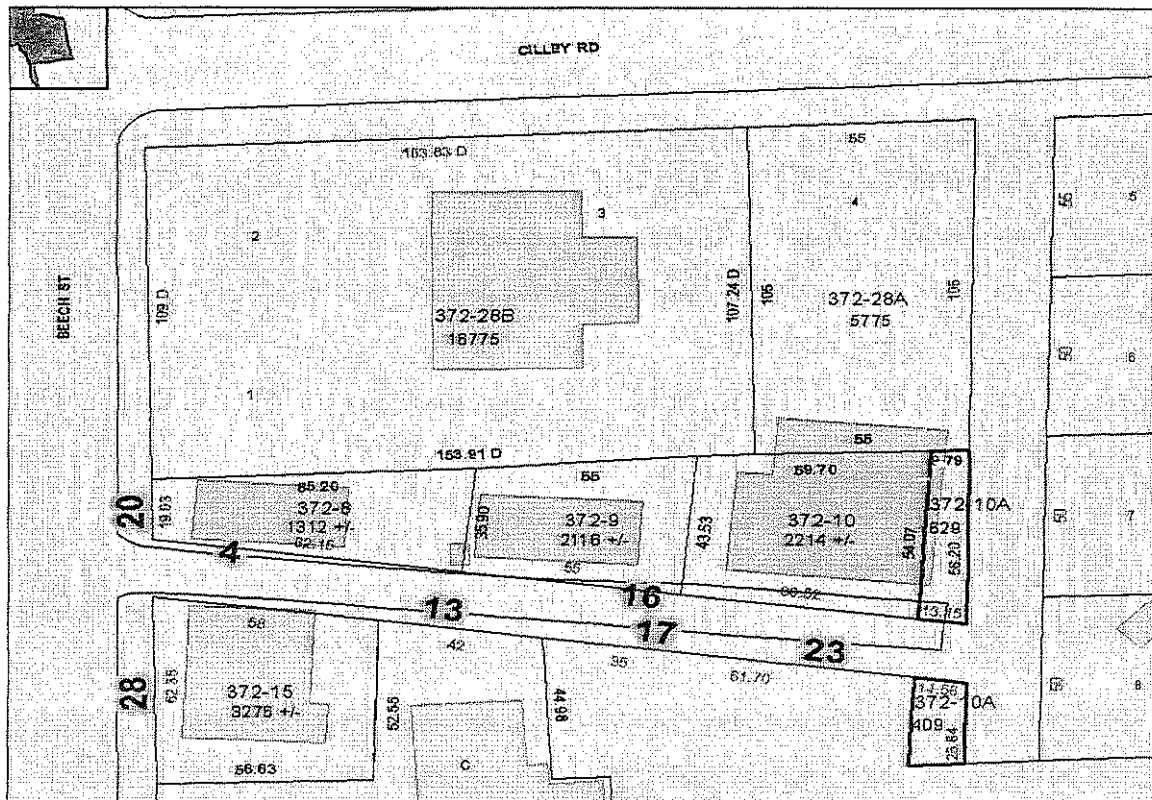
Thomas C. Nichols
Thomas C. Nichols

Stephan W. Hamilton
Stephan W. Hamilton

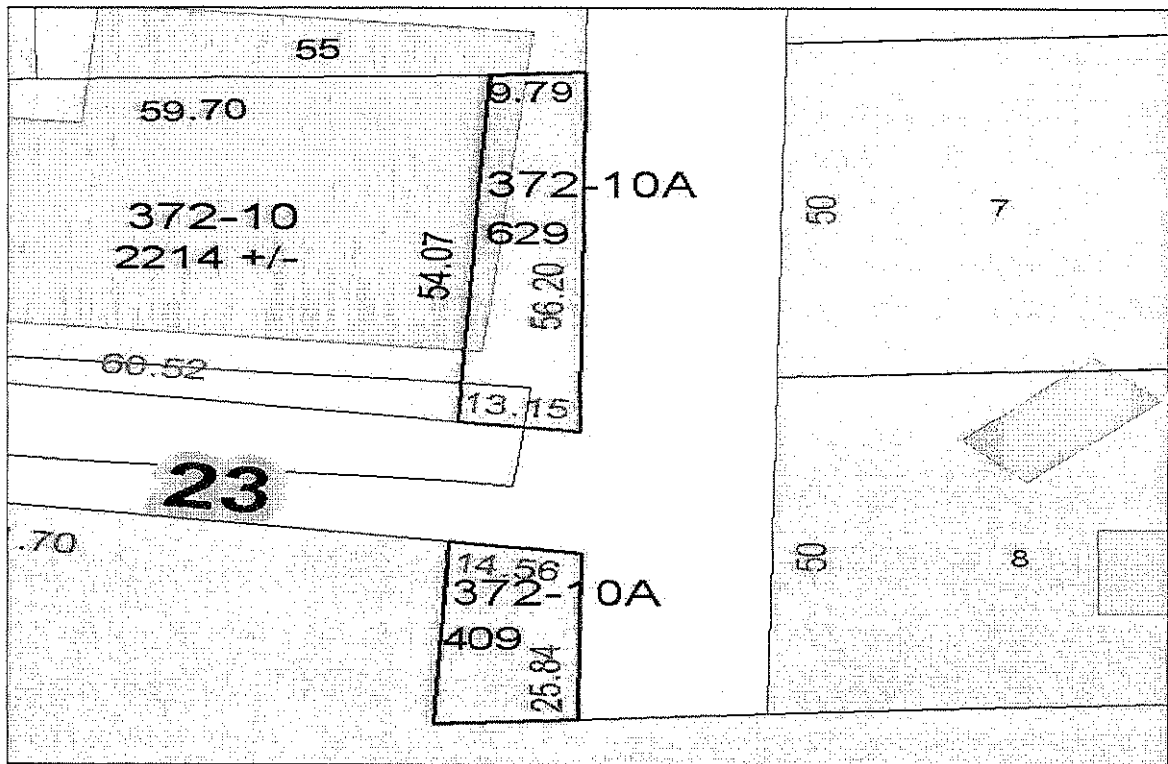
Enclosure:



View Looking South



GIS Map





Robert S. MacKenzie, AICP
Director

CITY OF MANCHESTER

Planning and Community Development

Planning
Community Improvement Program
Growth Management



Staff to:
Planning Board
Heritage Commission
Millyard Design Review Committee

June 19, 2006

Committee on Land and Buildings
Honorable Board of Mayor and Aldermen
City Hall - One City Hall Plaza
Manchester, N.H. 03101

RE: *Request to acquire city-owned land (TM 372, Lot 10A) on Chenette Avenue*

Dear Committee Members:

This is to provide a report pursuant to Section 34.20 pertaining to the above-referenced city-owned land and building.

Background: The City has received a written request from Donald and Nancy Pouliot to acquire a 600 s.f. city-owned parcel (TM 372, Lot 10A) which abuts several properties they own which are located on or near Chenette Avenue just south of the South Beech Street/Cilley Road intersection. The reason expressed by the Pouliot's for why they want to acquire Lot 10A is because a commercial building they own on Lot 10 crosses over the lot line boundary and onto Lot 10A and acquisition of Lot 10A would resolve their encroachment dilemma. As may be seen on the accompanying maps, three other Pouliot owned properties abuts city-owned Lot 10A.

Surplus Determination and Disposition: After discussion this request with appropriate City agencies, we have determined that there are no known reasons why the City should retain ownership of this tiny parcel and it is, therefore, the recommendation of the Planning & Community Development Department that the property be deemed surplus to City needs and disposed of through public sale at a price determined by the Assessor's Department. In this regard, the Board may especially wish to consider that the Pouliot's are the only direct abutters to Lot 10A and their acquisition of Lot 10A would adequately resolve their building encroachment problem.

If sale of Lot 10A to the Pouliot's is deemed appropriate, we would recommend that the Board attach a condition to the sale which requires that Lot 10A (600 s.f.) be merged with abutting Lot 10 (3,054 s.f.) to form a single parcel.

If you have any questions, our staff will be available at your meeting.

Sincerely,

Robert S. MacKenzie, AICP
Director of Planning and Community Development

One City Hall Plaza, Manchester, New Hampshire 03101
Phone: (603) 624-6450 Fax: (603) 624-6529
E-mail: planning@ManchesterNH.gov
www.ManchesterNH.gov

Environs of TM 372, Lot 10A

CILLEY RD.

CHERRY AVE.

PRIVATE ALLEY / DRIVEWAY

CHENETTE AVE.

TM 372
Lot 28A
6,037 s.f.

85 Cilley Rd.
TM 372
Lot 10
3,054 s.f.

Chenette Ave.
TM 372
Lot 10A
600 s.f.

TM 372
Lot 26A

9 Cherry Ave.
TM 372
Lot 26



Properties owned by Donald & Nancy Pouliot
Property owned by City of Manchester

This map prepared by the City of Manchester Planning & Community Development Department (D. Beauchesne) on June 9, 2006.

Environs of TM-372, Lot 10A

LEON AVE.

WITT AVE.

GILLEY RD.

MAPLE ST.

CHERRY AVE.

PRIVATE ALLEY / DRIVEWAY

CHENETTE AVE.

S. BEECH ST.

TM 372
Lot 28A

TM 372
Lot 10

TM 372
Lot 26A

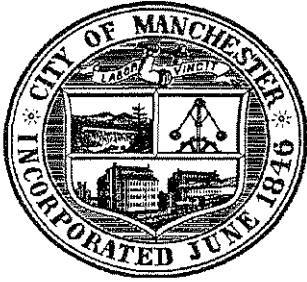
TM 372
Lot 26

TM 372
Lot 10A



Properties owned by Donald & Nancy Pouliot
Property owned by City of Manchester

This map prepared by the City of Manchester Planning & Community
Development Department (D. Beauchesne) on June 9, 2006.



City of Manchester
Office of the Tax Collector

City Hall
One City Hall Plaza - West
Manchester, New Hampshire 03101
(603) 624-6575 (Phone)
(603) 628-6162 (Fax)

Joan A. Porter
Tax Collector

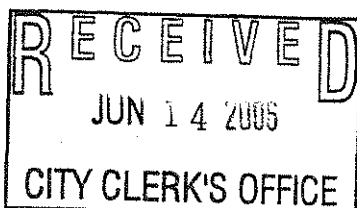
Memorandum

DATE: June 14, 2006
TO: Land & Building Committee
FROM: Joan A. Porter, Tax Collector
RE: L Chenette Ave

As requested, the following contains information regarding the Tax-Deeded property located at: **L Chenette Ave**

Prior Owners: Unknown
Map/Lot: 0372/0010-A
Lien Date: 04/17/1992
Deed Date: 11/21/1994
Recorded Date: 11/23/1994
Book/Page: 5593/1655
Back Taxes 343.25 (not including interest and costs)

I do not have any objections to the disposition of this property.



Environs of TM 372, Lot 10A

GILLEY RD.

CHERRY AVE.

CHENETTE AVE.

TM 372
Lot 28A
6,037 s.f.

Chenette Ave.
TM 372
Lot 10A
600 s.f.

85 Gilley Rd.
TM 372
Lot 10
3,054 s.f.

TM 372
Lot 28A

9 Cherry Ave.
TM 372
Lot 26

TM 372
Lot 10A



LeBlond-Kang, Paula

From: Beauchesne, David
Sent: Friday, June 09, 2006 1:29 PM
To: LeBlond-Kang, Paula
Subject: L&B Pouliot Request to Acquire City-owned TM372, Lot 10A on Chenette Ave.

G-Day Paula!

This is not a big thing but I would like to set the record straight concerning an incorrect street address referred to in a recent letter from Attorney Bussiere Jr. to the City which expresses his clients, Donald and Nancy Pouliot, desire to acquire a city-owned parcel which abuts lands they own "at 85 Brent Street (Tax Map 372 Lotes 10, 26, 26A & 28A)". While Attorney Bussiere's citation of the Tax Map and Lot numbers for the parcels owned by Mr. & Mrs. Pouliot are correct, the "**85 Brent Street**" address is not correct. In fact, Brent Street is located off Brown Avenue south of the Airport (where the Pouliot's also own property). I'm sure that the reference to "Brent Avenue" is an inadvertant processing typo and that Attorney Bussiere meant to state that the affected Pouliot property address is **85 Cilley Road**.

Also, for the record, the affected 600 s.f. City-owned property (TM 372, Lot 10A) does not have an assigned street address number but is officially located on **Chenette Avenue**, a very short one-way street which extends easterly off of Beech Street immediately south of Cilley Road.

As an assistance in figuring out which property is referred to in the L & B Agendas, is it possible that this case be referred to as **TM 372, Lot 10A on Chenette Avenue**? FYI, City Planning sorts all of its over 200 L & B case files by Street Name so mere reference to a Tax Map and Lot Number is not helpful when I'm trying to find a file.

Many thanks.

DB

M

To the Board of Mayor and Aldermen of the City of Manchester:

The Committee on Bills on Second Reading respectfully recommends, after due and careful consideration, that Ordinance:

“Amending the Code of Ordinances of the City of Manchester by repealing Chapter 94: Noise Regulations in its entirety and inserting a new Chapter 94: Noise Regulations.”

ought to pass.

(Aldermen Duval, Lopez, Garrity, and Pinard recorded in favor; Alderman Gatsas opposed)

The Committee notes that it has requested the Committee on Administration to review the Noise Ordinance as it relates to noise levels, and to consider consistency with State law in that review.

(Unanimous vote on this request)

Respectfully submitted,

L. R. Bennett

Clerk of Committee

M

To the Board of Mayor and Aldermen of the City of Manchester:

The Committee on Administration/Information Systems respectfully advises, after due and careful consideration, that it has approved Ordinance:

“Amending the Code of Ordinances of the City of Manchester by repealing Chapter 94: Noise Regulations in its entirety and inserting a new Chapter 94: Noise Regulations.”

and is recommending same be referred to the Committee on Bills on Second Reading for technical review.

(Unanimous vote)

Respectfully submitted,

At a meeting of the Board of Mayor and Aldermen
held July 11, 2006 on a motion of Ald. O'Neil
duly seconded by Ald. Long the report
of the Committee was accepted and its recommendations

(adopted) ~~(denied)~~

L.R. Bernier
City Clerk

[Signature]
Clerk of Committee
[Signature]

M

City of Manchester New Hampshire

In the year Two Thousand and Six

AN ORDINANCE

"Amending the Code of Ordinances of the City of Manchester by repealing Chapter 94: Noise Regulations in its entirety and inserting a new Chapter 94: Noise Regulations."

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester,
as follows:

Chapter 94: Noise Regulations

Section

General Provisions

- 94.01 Purpose
- 94.02 Scope
- 94.03 Definitions
- 94.04 Enforcement
- 94.05 Measurements
- 94.06 Submission of Fees

Minimum Standards

- 94.10 Noise Levels
- 94.11 Exemptions
- 94.20 Motor Vehicles

Administration and Enforcement

- 94.40 Noise Variance Board
- 94.42 Application Procedures
- 94.43 Prohibited Conduct
- 94.44 Penalties

Statutory reference:

Authority of city to regulate noise, see R.S.A. 47:17 II & XV.

GENERAL PROVISIONS

§ 94.01 PURPOSE.

It is the policy of the Board of Mayor and Aldermen of the City of Manchester to protect, preserve and promote the health, safety, welfare, peace and quiet of the citizens of Manchester through the reduction, control and prevention of noise. It is the intent of this ordinance to establish standards that will eliminate and reduce unnecessary environmental noise throughout the community which may be physically harmful or otherwise detrimental to individuals and the community in the enjoyment of life, property and the conduct of business.

City of Manchester New Hampshire

In the year Two Thousand and Six

AN ORDINANCE

"Amending the Code of Ordinances of the City of Manchester by repealing Chapter 94: Noise Regulations in its entirety and inserting a new Chapter 94: Noise Regulations."

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester,
as follows:

§ 94.02 SCOPE.

This ordinance shall only apply to noise originating within the city limits of the City of Manchester, NH that is traveling in the atmosphere or environment. This ordinance shall apply to all bodies of water within the city limits of the City of Manchester, irrespectively if they flow through or are contained partially or entirely within the city limits.

§ 94.03 DEFINITIONS.

For the purpose of this title, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

AMBIENT SOUND LEVEL. The A-weighted sound level of all sound associated with a given environment, exceeded ninety percent (90%) of the time measured and being a composite of sounds from many sources during the period of observation while the sound from the noise source of interest is not present.

ANSI. The American National Standards Institute.

ANSI S SERIES STANDARDS. Those ANSI standards relevant to sound, acoustics, shock, vibration and bioacoustics.

A-WEIGHTED SOUND PRESSURE. The sound pressure level as measured with a sound level meter using the A-weighting network. The standard notation is dB(A) or dBA.

COMMERCIAL POWER EQUIPMENT. Any equipment or device rated at more than five horsepower and used for building repairs or property maintenance excluding snow removal equipment.

COMMERCIAL PREMISES. Any land parcel with buildings where the use of less than fifty percent (50%) of the gross floor area meets the definition of residential premises. Includes locations of various scale operating as retail, automotive use, restaurant, governmental, financial, entertainment and cultural and shopping centers as identified pursuant to the Manchester Zoning Ordinance.

CONSTRUCTION EQUIPMENT. Any device or mechanical apparatus operated by fuel, electric, or pneumatic power in the excavation, construction, repair, or demolition of any building, structure, land parcel, street, alley, waterway, or appurtenance thereto.

DECIBEL. A logarithmic unit of measure often used in measuring magnitudes of sound. The symbol is dB.

DOMESTIC POWER EQUIPMENT. Any equipment or device rated at five (5) horsepower or less and used for building repairs or grounds maintenance excluding snow removal equipment.

M

City of Manchester New Hampshire

In the year Two Thousand and Six

AN ORDINANCE

"Amending the Code of Ordinances of the City of Manchester by repealing Chapter 94: Noise Regulations in its entirety and inserting a new Chapter 94: Noise Regulations."

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester,
as follows:

EMERGENCY VEHICLE. An authorized motor vehicle that has sound warning devices such as whistles, sirens and bells which can lawfully be used when responding to an emergency, during a police activity or which is required by state or federal regulations (i.e., reverse alarms).

EMERGENCY WORK. An activity made necessary to restore property to a safe condition following a public calamity or work required to protect persons or property from exposure to imminent danger. It includes work by private or public entities for providing or restoring immediately necessary service as well as all situations deemed necessary by the city.

EMERGENCY POWER GENERATOR. The equipment used to generate electrical power in the event of an interruption, malfunction or failure of the electrical power supplied by the service provider.

GROSS FLOOR AREA. The floor area within the inside perimeter of the exterior walls of the building under consideration, exclusive of vent shafts and courts, without deduction for corridors, stairways, closets, the thickness of interior walls, columns or other features. The floor area of a building or portion thereof, not provided with surrounding exterior walls shall be the usable area under the horizontal projection of the roof or floor above.

INDUSTRIAL PREMISES. Any premise where the production of goods, materials or knowledge takes place. May include locations for manufacturing, warehousing, research and development, distribution or other selected offices as identified pursuant to the Manchester Zoning Ordinance.

MOTOR VEHICLE. Any vehicle that is self-propelled, used primarily for transporting persons or property upon public roadways and required to be licensed according to motor vehicle registration laws. The term motor vehicle shall not include: aircraft, watercraft, motor vehicles operated on private property for recreational or amusement purposes, vehicles used exclusively on stationary rails, or specialized utility vehicles normally used only on private property in the daily course of business such as forklifts, and pallet movers.

NOISE. Any sound that exceeds the standards set forth in this chapter, annoys or disturbs a reasonable person of normal sensibilities, or causes or tends to cause any adverse psychological or physiological effect on humans.

NOISE VARIANCE. Specific relief from the terms of this chapter as granted by the Noise Variance Board.

City of Manchester New Hampshire

In the year Two Thousand and Six

AN ORDINANCE

"Amending the Code of Ordinances of the City of Manchester by repealing Chapter 94: Noise Regulations in its entirety and inserting a new Chapter 94: Noise Regulations."

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester,
as follows:

PERSON. An individual, corporation, partnership, association, organization or similar entity.

PREMISES. Any building, structure, land, utility or portion thereof, including all appurtenances, and shall also include yards, lots, courts, inner yards and real properties without buildings or improvements, owned or controlled by a person.

PROPERTY LINE. The real or imaginary line and its vertical extension which separates real property owned or controlled by any person from contiguous real property owned or controlled by another person. The vertical and horizontal boundaries of a dwelling unit in a multi-dwelling unit building, condominium, or townhouse complex shall not be considered property lines separating one (1) property from another.

PUBLIC PREMISES. All real property including appurtenances thereon which is owned or controlled by any governmental entity and shall include streets, alleys, parks and waterways.

RECEPTOR PREMISES. The premises (residential, commercial, industrial, or public) as listed in Table A which is receiving noise emitted from the source premises after crossing one or more property lines. Also referred to as the receiving premise.

RESIDENTIAL PREMISES. Any premises where single or multiple dwelling units exist and shall include primary schools, churches, nursing homes and similar institutional facilities including any commercial premises where the use of more than fifty percent (50%) of the gross floor area meets this definition of residential premise.

SOUND. An oscillation in pressure, stress, particle displacement and particle velocity which induces auditory sensation.

SOUND LEVEL METER. An apparatus for the measurement of sound levels. The sound level meter shall be of a design and have the characteristics of a Type 2 or better instrument as established by the American National Standards Institute, publication S1.4 entitled Specification for Sound Level Meters.

SOUND PRESSURE LEVEL. Twenty (20) times the logarithm to the base ten (10) of the ratio of the pressure of a sound to the reference pressure of twenty (20) micronewtons per square meter (20×10^{-6} Newtons/meter²) and is expressed in decibels (dB).

SOURCE PREMISES. The premises (residential, commercial, industrial, or public) as listed in Table A that is emitting noise that is crossing one or more property lines and impacting the receptor premises.

SNOW REMOVAL EQUIPMENT. Any equipment used for removing snow from land or building surfaces and shall include snowplows, snow blowers, snow sweepers, and snow shovels.



City of Manchester New Hampshire

In the year Two Thousand and Six

AN ORDINANCE

“Amending the Code of Ordinances of the City of Manchester by repealing Chapter 94: Noise Regulations in its entirety and inserting a new Chapter 94: Noise Regulations.”

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester, as follows:

TABLE A. The reference table contained in § 94.10 of this chapter that details the maximum allowable noise levels for all premises in the City of Manchester, including a time of day allowance. Measurements of noise levels are made at the property line of the receiving premises.

TABLE B. The reference table contained in § 94.20 of this chapter that details the maximum allowable noise levels for all motor vehicles operating in the City of Manchester during any time of the day or night. Measurements of noise levels are made twenty-five (25) feet from the source motor vehicle.

TREE MAINTENANCE EQUIPMENT. Any equipment used in trimming or removing trees only and shall not be limited to chainsaws, chippers and stump removers.

§ 94.04 ENFORCEMENT.

The Chief of Police or his designee shall have and exercise the power to enforce the provisions of this title. Licenses or permits issued pursuant to this title shall also be enforced by a designee of the Office of the City Clerk. Enforcement shall include entering areas of public access or operation, free of charge, to ensure compliance and issuance of citations for any violations with penalties to be assessed as provided in §94.44 of this title.

§ 94.05 MEASUREMENTS.

For the purposes of this ordinance, the measurement of all physical parameters or entities associated with acoustics, sound, noise, or vibration shall comply with the most recent S series standards of ANSI, American National Standards Institute, Standards for Sound, Acoustics, Shock and Vibration, Bioacoustics. Furthermore, all physical parameters, or entities determined or calculated from such measurements relevant to acoustics, shock, vibration or bioacoustics shall be determined or calculated in accordance to the most recent S series standards of ANSI where so applicable.

§94.06 SUBMISSION OF FEES.

Fees for permits, applications and licenses shall be submitted with the applications under this chapter and shall be considered nonrefundable.

City of Manchester New Hampshire

In the year Two Thousand and Six

AN ORDINANCE

"Amending the Code of Ordinances of the City of Manchester by repealing Chapter 94: Noise Regulations in its entirety and inserting a new Chapter 94: Noise Regulations."

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester, as follows:

MINIMUM STANDARDS

§ 94.10 NOISE LEVELS.

Noise levels shall be measured at any point along the property line or within the property line of the receiving premises to determine compliance of the source. When it is determined that the ambient sound level at the receiving premises equals or exceeds the maximum allowable sound pressure level specified in Table A, then the ambient sound level is the standard which cannot be exceeded by the source. The following table identifies allowable noise levels within various areas throughout the City:

TABLE A

Maximum Allowable Noise Levels (in dBA) with Time of Day Allowance

	Receptor Premises							
	Residential		Commercial		Industrial		Public	
Source Premises	7am--10pm	10pm--7am	7am--10pm	10pm--7am	7am--10pm	10pm--7am	7am--10pm	10pm--7am
Residential	55	50	65	60	80	75	75	70
Commercial	55 [60]	50 [60]	65	60	80	75	75	70
Industrial	55 [65]	50 [65]	65	60	80	75	75	70
Public	55 [60]	50 [60]	65	60	80	75	75	70
Body of Water	55	50	65	60	80	75	75	70
(The numbers in brackets are the allowable limits that comply with § 94.11 (N) Exemptions.)								

§ 94.11 EXEMPTIONS.

The maximum permissible sound pressure levels as specified in Table A shall not apply to sounds emitted from:

- (A) Any bell or chime from any building clock, school or church, not including any amplified bell or chime sounds emitted from loudspeakers.
- (B) Any siren, whistle or bell lawfully used by emergency vehicles or any other alarm systems used in case of fire, collision, civil defense, police activity or imminent danger.
- (C) Any aircraft in flight subject to federal law regarding noise control.
- (D) Any ground-based aircraft activity including testing or engine run-up noise.
- (E) Any motor vehicles designed for and operated on public streets, alleys, highways or freeways that are regulated by Table B.



City of Manchester New Hampshire

In the year Two Thousand and Six

AN ORDINANCE

"Amending the Code of Ordinances of the City of Manchester by repealing Chapter 94: Noise Regulations in its entirety and inserting a new Chapter 94: Noise Regulations."

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester, as follows:

(F) Any tree maintenance equipment operated upon a residential, commercial, industrial or public premises provided that operation of tree maintenance equipment between the hours of 9:00 p.m. and 7:00 a.m. shall not exceed the maximum noise levels as specified in Table A.

(G) Any construction equipment or activities in compliance with § 94.43 (F) of this ordinance.

(H) Any domestic power equipment operated upon any residential, commercial, industrial or public premises between 7:00 a.m. and 10:00 p.m. provided that such equipment does not exceed a sound pressure level of eighty (80) dBA when measured at the property line of the receiving premise.

(I) Any commercial power equipment operated upon any residential, commercial, industrial or public premises between 7:00 a.m. and 10:00 p.m. provided that such equipment does not exceed a sound pressure level of eighty-eight (88) dBA when measured at the property line of the receiving premise.

(J) The musical instruments of any school marching band while performing at any sporting event or marching band competition, and the musical instruments of any school marching band practicing on school grounds between the hours of 9:00 a.m. and 8:00 p.m. that do not exceed sixty-five (65) dBA when measured at the property line of the receiving residential premise.

(K) Following a snowstorm, snow removal equipment operated on any premises between the hours of 5:00 a.m. and 10:00 p.m. provided that such equipment does not exceed the sound pressure limits for commercial power equipment (eighty-eight (88) dBA) or domestic power equipment (eighty (80) dBA) when measured at the property line of the receiving premise.

(L) Any power generator providing emergency electrical power at any hospital, health clinic, nursing home or similar facility where the loss of electrical power creates an immediate risk to the health, safety or welfare of any person, or at any premises where such equipment is required by the Manchester Fire Department. Additionally, the noise emitted during the routine testing of emergency electrical power generators shall not exceed eighty-eight (88) dBA when measured at the property line of the receiving premise. Routine testing shall not exceed one (1) hour in any one-week period, or two (2) hours in any six-week period and shall be confined to the hours of 10:00 a.m. to 4:00 p.m. or as otherwise approved.

(M) Any industrial, commercial, or public premises exceeding the standards of Table A at a receiving residential premises when the zoning of the receiving residential premises does not allow residential use (residential use is nonconforming). However, in such a situation, the noise emitted by the industrial, commercial, or public premises shall not exceed the standards for receiving industrial premises.

City of Manchester New Hampshire

In the year Two Thousand and Six

AN ORDINANCE

"Amending the Code of Ordinances of the City of Manchester by repealing Chapter 94: Noise Regulations in its entirety and inserting a new Chapter 94: Noise Regulations."

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester, as follows:

(N) Any industrial, commercial, or public premises exceeding the standards of Table A at a receiving residential premises when such industrial, commercial, or public premises and their emitted noise level were in existence prior to the existence of the residential premises, provided however that the existing industrial premises does not exceed sixty-five (65) dBA and the commercial premises do not exceed sixty (60) dBA when measured at the receiving residential premises.

(O) Any water craft or noise emanating from or on a body of water between the hours of 7:00 a.m. and 10:00 p.m. provided that such noise does not exceed a sound pressure level of eighty-eight (88) dBA when measured at the property line of the receiving property and further provided that between 10:00 p.m. and 7:00 a.m. such equipment does not exceed the maximum sound pressure levels as specified in Table A.

§ 94.20 MOTOR VEHICLES.

All noise levels from motor vehicles shall be measured at twenty-five (25) feet from the source vehicle to determine compliance. Except where preempted by state law the standards in Table B shall apply to all noise emitted from motor vehicles including any and all equipment thereon, under any condition of acceleration, deceleration, idle, grade or load and whether or not in motion.

TABLE B

Maximum Allowable Noise Levels for Motor Vehicles

Type of Vehicle	Time Period	Maximum Allowable Sound Pressure Level measured in dBA	Measurement Distance from Motor Vehicle
Motor vehicles weighing less than 10,000 pounds, manufacturers gross vehicle weight	At any time	80	25 feet

M

City of Manchester New Hampshire

In the year Two Thousand and Six

AN ORDINANCE

"Amending the Code of Ordinances of the City of Manchester by repealing Chapter 94: Noise Regulations in its entirety and inserting a new Chapter 94: Noise Regulations."

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester,
as follows:

LICENSE REQUIREMENTS

ADMINISTRATION AND ENFORCEMENT

§ 94.40 NOISE VARIANCE BOARD.

It is recognized that in initiating community noise limits, any number of unanticipated situations may occur. Although the City is primarily concerned with protecting, preserving and promoting the health, safety, welfare and peace and quiet of the citizens of Manchester, the City realizes that there may be preexisting conditions that need an extended period of time to conform to the noise limits imposed by this ordinance. The City also recognizes that events or incidents can occur where there was every good faith expectation of complying with the noise limits imposed by this ordinance, but for some unforeseen circumstance, those events or incidents failed to comply.

This section hereby establishes a Noise Variance Board in which members shall approve or deny variances to this chapter, hereinafter referred to as a noise variance. The board shall consist of the Committee on Administration of the Board of Mayor and Aldermen.

§ 94.42 APPLICATION PROCEDURES.

Applications must be submitted to the Office of the City Clerk. General guidelines may be considered in the issuance of a noise variance. These guidelines are not all inclusive and other criteria may be established that is reasonable and prudent to protect the public or limit the anticipated detrimental impact of noise upon the community. The guidelines are as follows:

(A) Variances shall be granted prior to or in anticipation of an event.

(B) The City reserves the right to grant a variance after the fact if it is deemed by the Noise Variance Board to be in the public good, if the Board believes that an honest, fair and reasonable attempt was made to comply with the noise limits imposed by this ordinance, or the failure to comply was due to some unforeseen circumstance.

(C) A variance for the continuation of a non-complying activity may be granted after a reasonable attempt was made to comply and may contain such stipulations as the Board may deem necessary to protect the public that may include, but is not limited to:

1. Regulation of times;
2. The erection of noise barriers, shielding or other noise abatement; and
3. A demonstration of compliance progress.

City of Manchester New Hampshire

In the year Two Thousand and Six

AN ORDINANCE

"Amending the Code of Ordinances of the City of Manchester by repealing Chapter 94: Noise Regulations in its entirety and inserting a new Chapter 94: Noise Regulations."

M

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester,
as follows:

(D) The applicant bears the burden of presenting evidence sufficient to allow the Noise Variance Board to reach conclusions and make findings to support the authorization of a variance.

(E) The Board may require a public hearing on a certain matter to permit abutting landowners to present written or oral testimony for consideration of granting or denying a variance.

(F) The Board may request review and recommendations from various City departments including the Building Commissioner, Public Health Director, Director of Planning, Chief of Police, City Clerk or their designees. Testimony of department representatives may be requested at a variance hearing.

(G) Final decisions shall be made available within seventy-two (72) hours after a vote on an application. A written decision will be mailed to the applicant with copies made available to the departments of Health, Police and City Clerk.

(H) In granting a variance, the Board may impose such conditions or stipulations as it deems necessary and proper in order to preserve the intent of this chapter.

(I) All decisions by the Noise Variance Board are final and may not be appealed to any other municipal board, committee or commission.

(J) As community noise is a public health concern, noise variances shall only be granted for a reasonable period of time, not more than two (2) years.

(K) The renewal of a variance after two (2) years requires the consent of the Board of Mayor and Aldermen.

(L) Variances shall not be granted for continued or sustained violations that may be physically injurious to one or more persons as determined by the Public Health Director.

(M) Once an application has been denied by the Noise Variance Board, the same application may only be considered if the Board finds that the application is materially different in nature and degree from the prior application.

M

City of Manchester New Hampshire

In the year Two Thousand and Six

AN ORDINANCE

"Amending the Code of Ordinances of the City of Manchester by repealing Chapter 94: Noise Regulations in its entirety and inserting a new Chapter 94: Noise Regulations."

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester, as follows:

§ 94.43 PROHIBITED CONDUCT.

The following conduct is prohibited:

(A) Provide any false or inaccurate information to any City board, committee, commission or any employee of the City of Manchester, in an attempt to deceive or otherwise avoid compliance with this ordinance.

(B) Hinder, obstruct, delay, resist, interfere, or attempt to interfere with any authorized person while in the performance of their duties under this ordinance.

(C) Emit or cause to be emitted any noise which leaves the premises on which it originates, crosses a property line, and enters onto any other premises in excess of the sound pressure levels during the time periods as specified in Table A, without a variance.

(D) Emit or cause to be emitted any noise within the public premises in excess of the limits defined in Table A without a variance.

(E) Reserved

(F) Operate any construction equipment or conduct any construction activities between the hours of 9:00 p.m. and 7:00 a.m. that exceed the noise limits of Table A. The City may grant variances from the construction restrictions if it can be demonstrated that a construction project will interfere with traffic if completed during daytime hours.

(G) Operate any trash compacting mechanism on any motor vehicle, or engage in any trash, rubbish or garbage collection activity between the hours of 10:00 p.m. and 7:00 a.m., when such activity takes place on any premises adjacent to a residential premises.

(H) Operate or permit the operation of any motor vehicle or combination of motor vehicles at any time or place when such operation exceeds the noise limits for the category of motor vehicle and for the designated time period as specified in Table B.

(I) Sound any horn or other audible signal device of an automobile, motorcycle, streetcar, or other vehicle unless it is necessary as a warning to prevent or avoid a traffic accident or reasonably inform or warn of a vehicle presence.

(J) Modify or change the exhaust muffler, air intake muffler or any other sound reducing device in such a manner that the noise emitted from the motor vehicle exceeds the sound pressure levels as established in Table B of § 94.20 except where permitted by state law.

City of Manchester New Hampshire

In the year Two Thousand and Six

AN ORDINANCE

"Amending the Code of Ordinances of the City of Manchester by repealing Chapter 94: Noise Regulations in its entirety and inserting a new Chapter 94: Noise Regulations."

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester, as follows:

(K) The noise limits in Table A and Table B notwithstanding, no person shall:

- 1) Make, continue, or cause to be made or continued any loud, unnecessary or unusual noise or any noise which either annoys, disturbs, injures, or endangers the comfort, repose, health, peace, or safety of others, within the limits of the city.
- 2) Use, operate or permit to be played, used or operated of any radio, receiving set, musical instrument, phonograph, or other machine or device for the producing or reproducing of sound in such manner as to disturb the peace, quiet and comfort of the inhabitants of a neighboring premises. The operation of any such set, instrument, phonograph, machine or device by a commercial establishment between the hours of 11:00 p.m. and 7:00 a.m. in such a manner as to be plainly audible at a distance of 50 feet from the lot line, structure or vehicle in which it is located shall be prima facie evidence of a violation of this section.
- 3) Use, operate, or permit to be played, used, or operated, any radio receiving set, musical instrument, phonograph, loudspeaker, sound amplifier, or other machine or device for the producing or reproducing of sound which is cast upon the public streets for the purpose of commercial advertising or attracting the attention of the public to any building or structure in such a manner that the occupants of a neighboring premises disturbed or annoyed.
- 4) Yell, shout, hoot, whistle, or sing on the public streets, particularly between the hours of 11:00 p.m. and 7:00 a.m. or any time or place so as to annoy or disturb the quiet, comfort, or repose of persons in neighboring premises.
- 5) Keeping of any animal or bird which by causing frequent or long continued noise shall disturb the comfort or repose of any person in a neighboring premises.
- 6) Use any automobile, motorcycle, or vehicle so out of repair, so loaded or in such manner as to create loud and unnecessary grating, grinding, rattling or other noise.
- 7) Transport rails, pillars, or columns of iron, steel or other material, over and along streets and other public places upon carts, drays, cars, trucks, or in any other manner so loaded as to cause loud noises or as to disturb the peace and quiet of such streets or other public places.

M

City of Manchester New Hampshire

In the year Two Thousand and six

AN ORDINANCE

"Amending the Code of Ordinances of the City of Manchester by repealing Chapter 94: Noise Regulations in its entirety and inserting a new Chapter 94: Noise Regulations."

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester, as follows:

§ 94.44 PENALTIES.

(A) Each act of violation of § 94.43 Prohibited Conduct and every day upon which any such violation shall occur in one (1) calendar year shall constitute a separate offense and follow the penalty schedule below:

(1) FIRST OFFENSE:

~~The offender shall be informed of the noise ordinance and corrective measures to achieve compliance. This shall constitute an official warning and should be accomplished in writing if possible.~~

A citation shall be issued to the offender in the amount of one hundred dollars (\$100.00).

(2) SECOND OFFENSE:

A citation shall be issued to the offender in the amount of two hundred and fifty dollars (\$250.00).

(3) THIRD OFFENSE:

A citation shall be issued to the offender in the amount of five hundred dollars (\$500.00).

(4) FOURTH AND SUBSEQUENT OFFENSES:

A citation shall be issued to the offender in the amount of one thousand dollars (\$1000.00).

(B) If the court finds for the City, the City shall recover its costs of suit including reasonable expert fees, attorney fees and necessary investigate costs.

This ordinance shall take effect upon its passage.



CITY OF MANCHESTER

Office of the City Clerk



Leo R. Bernier
City Clerk

Carol A. Johnson
Deputy City Clerk


Paula L-Kang
Deputy Clerk
Administrative Services

Matthew Normand
Deputy Clerk
Licensing & Facilities

Patricia Piecuch
Deputy Clerk
Financial Administration

MEMORANDUM

TO: Committee on Administration/Information Systems
Ald. O'Neil, Forest, Smith, Devries, Lopez

FROM: Matthew Normand 
Deputy Clerk

DATE: May 31, 2006

RE: Amendment to the Noise Ordinance

The police department has raised a concern with the recent noise ordinance passed on April 18, 2006. The penalties associated with Chapter 94: Noise Regulations, as currently written, were intended to be assigned to section 111.75 Noise Activities. The correct penalty for a first offense violation of the noise ordinance is one hundred dollars (\$100.00). The attached ordinance corrects this oversight as noted on the final page.

If you have any questions or concerns prior to your meeting, you may reach me at 624-6348.
Thank you.

N

To the Board of Mayor and Aldermen of the City of Manchester:

The Committee on Bills on Second Reading respectfully recommends, after due and careful consideration, that Ordinance:

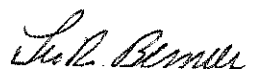
“Amending the Zoning Ordinance of the City of Manchester by extending the R-SM (Residential Suburban Multi-Family) zone district to include property currently zoned IND (Industrial) located on the south side of Holt Avenue between East Industrial Park Drive and Waverly Street and known as Tax Map 716, Lot 38.”

ought to pass.

The Committee notes that it has requested the Director of Planning to provide a report to the full Board regarding potential drainage issues.

(Unanimous vote)

Respectfully submitted,



Clerk of Committee

N

To the Board of Mayor and Aldermen of the City of Manchester:

The Committee on Bills on Second Reading respectfully recommends, after due and careful consideration, that ordinance amendment:

“Amending the Zoning Ordinance of the City of Manchester by extending the R-SM (Residential Suburban Multi-Family) zoning district to include property currently zoned IND (Industrial) located on the south side of Holt Avenue between East Industrial Park Drive and Waverly Street and known as Tax Map 716, Lot 38.”

be referred to a public hearing on Monday, August 7, 2006 at 6 PM in the Aldermanic Chambers of City Hall.

(Aldermen Duval, Lopez, Garrity and Pinard voted yea; Alderman Gatsas abstained.)

Respectfully submitted,

Sh. N. Bernier

Clerk of Committee

at a meeting of the Board of Mayor and Aldermen

held July 11, 2006 on a motion of Ald. O'Neil

duly seconded by Ald. Long the report

of the Committee was accepted and its recommendations

(adopted) ~~(passed)~~

Sh. N. Bernier

City Clerk

N

City of Manchester New Hampshire

In the year Two Thousand and Six

AN ORDINANCE

“Amending the Zoning Ordinance of the City of Manchester by extending the R-SM (Residential Suburban Multi-Family) zone district to include property currently zoned IND (Industrial) located on the south side of Holt Avenue between East Industrial Park Drive and Waverly Street and known as Tax Map 716, Lot 38.”

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester, as follows:

SECTION 1. “Amending the Zoning Ordinance of the City of Manchester by extending the R-SM (Residential Suburban Multi-Family) zone district to include property currently zoned IND (Industrial) located on the south side of Holt Avenue between East Industrial Park Drive and Waverly Street and known as Tax Map 716, Lot 38, and being more particularly bounded and described as follows:

Beginning at a point on the centerline of Holt Avenue, said point being on the zone boundary line of the R-SM (Residential Suburban Multi-Family) and the IND (Industrial) zone district, prior to this amendment; and said point being approximately 165 ft. west of the intersection of the R-SM (Residential Suburban Multi-Family) zone district and the IND (Industrial) zone district, prior to this amendment;

Thence, southerly along the property line of Tax Map 716, Lot 38 and Tax Map 717, Lot 13A extended, a distance of approximately 438 ft. to a point;

Thence, westerly along property line of Tax Map 716, Lot 38 and Tax Map 717, Lot 1A a distance of approximately 423 ft. to a point;

Thence, northerly along the property line of Tax Map 716, Lot 38 and Tax Map 716, Lot 36A extended, a distance of approximately 436 ft. to a point, said point also being on the zone boundary line of the R-SM (Residential Suburban Multi-Family) and the IND (Industrial) zone district, prior to this amendment;

Thence, easterly along the zone boundary line of the R-SM (Residential Suburban Multi-Family) and the IND (Industrial) zone district, prior to this amendment; a distance of approximately 425 ft. to a point, said point also being the point of beginning.

Said description to include TM 716, Lot 38 consisting of approximately 3.90 acres of private land, to be rezoned from IND (Industrial) to R-SM (Residential Suburban Multi-Family) zone district, after this amendment.

SECTION II. Resolve this ordinance shall take effect upon passage.

John G. Cronin
Admitted in NH and MA

**CRONIN &
BISSON, P.C.**



ATTORNEYS AT LAW

722 Chestnut Street, Manchester, NH 03104
Phone: (603) 624-4333 Fax: (603) 623-5626
www.croninbisson.com

April 20, 2006

Board of Mayor and Aldermen
c/o Leo Bernier, City Clerk
City of Manchester
One City Hall Plaza
Manchester, NH 03101

Re: Zoning Change
603 Holt Avenue
Map 716, Lot 38

IN BOARD OF MAYOR & ALDERMEN

DATE: June 6, 2006

ON MOTION OF ALD. O'Neil

SECONDED BY ALD. Pinard
refer to the Committee

VOTED TO on Bills on Second Reading.


CITY CLERK

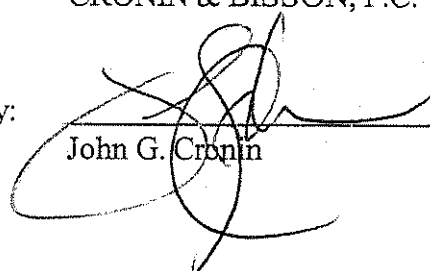
Dear Board of Mayor and Aldermen:

Enclosed herewith please find the Petition for Rezoning, together with the filing fee, concerning the above referenced property on behalf of our client, 127 Elm Street, LLC. The petition seeks rezoning of the subject property to residential use.

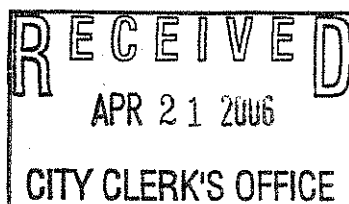
Please let us know if you require further information, or have any questions. Thank you for your consideration.

Sincerely yours,
CRONIN & BISSON, P.C.

By:


John G. Cronin

JGC:lma
Enclosure



STATE OF NEW HAMPSHIRE
CITY OF MANCHESTER

127 Elm Street, LLC

PETITION FOR REZONING

NOW COMES the Petitioner, 127 Elm Street, LLC, by and through its attorneys, Cronin & Bisson, P.C., and petitions the Board of Mayor and Aldermen of the City of Manchester, in accordance with Article 16 of the City of Manchester Zoning Ordinance, to amend the Zoning Map regarding a certain parcel of land located at 603 Holt Avenue, County of Hillsborough, City of Manchester and identified as Map 716, Lot 38 in the tax records for the City of Manchester. In support hereof, Petitioner states as follows:

1. Lorraine and Edwin Hartshorn are the owners of record of a parcel of undeveloped real property located at 603 Holt Avenue and identified as Map 716, Lot 38 in the tax records of the City of Manchester (the "Property"). Edwin Hartshorn is deceased, leaving Lorraine Hartshorn as the sole owner.
2. The Property is approximately three acres and is located in the industrial zone.
3. Although zoned industrial, the Property is located directly across Holt Avenue from a residential condominium development.
4. The property elevation changes dramatically from abutting industrial zoned properties and lies in close proximity to wetland areas.
5. The Petitioner, 127 Elm Street, LLC, as agent for the owner, seeks to change the zoning classification for the property from industrial to residential with the ultimate goal of construction of a residential condominium development similar to the existing development on Holt Avenue. (A letter of authorization from the record owner is attached as Exhibit A).
6. A copy of the City tax map showing the Property as situated in the industrial zone is attached as Exhibit B.

N

7. The proposed change would have little impact within the district since the Property's topography and proximity to wetlands and residential development make it difficult to develop for industrial use. In addition, a residential condominium development would be more consistent with the existing area.

8. The current zoning of "Industrial" is not compatible with the existing neighborhoods adjacent to the subject property. If the property were developed for an industrial use, it would create a detrimental impact of the neighboring residential properties.

9. Based on the anticipated market for residential condominiums in this area of the City and the number of units which could potentially be developed on the site, the proposed change should ultimately be tax positive for the City. Since the City is already servicing the existing residential condominiums in the area, there will likely be little net increase in the demand for City services as a result of the proposed change in zoning classification.

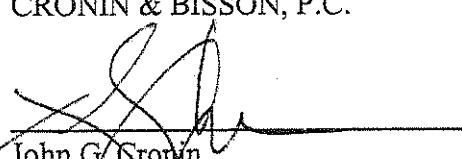
10. The names, addresses, tax map number and lot number of all abutting property owners and all properties on the opposite side of Holt Avenue is attached as Exhibit C.

11. In light of the support set forth in this petition, the Petitioner respectfully requests that the Honorable Board of Mayor and Aldermen approve this request to change the Zoning Map classification of 603 Holt Avenue to residential.

Respectfully submitted,

127 Elm Street, LLC
By its Attorneys,
CRONIN & BISSON, P.C.

By:


John G. Cronin
722 Chestnut Street
Manchester, New Hampshire 03104
(603) 624-4733

Dated: April 20, 2006

N

Ms. Lorraine Hartshorn
Mr. Edwin Hartshorn

April 18, 2006

To Whom it May Concern:

We, the undersigned, being owners of the real property sometimes referred as Map 716, Lot 38, located on Holt Avenue in Manchester, New Hampshire, hereby grant our authority to 127 Elm Street, LLC to take any and all action required or deemed necessary to re-zone the property from "Industrial" to Residential."

Thank you.

Sincerely,

Lorraine Hartshorn
Lorraine Hartshorn

deceased
Edwin Hartshorn

N



Abutter List

Map 716 Lot 0038
603 Holt Avenue
Manchester, NH

Map / Lot	Property Owner	Property Owner Address
Subject Property 716 / 0038	Lorraine Hartshorn	21 Mammoth Road Hooksett, NH 03106
716 / 0036A	Boy Scouts of America	571 Holt Avenue Manchester, NH 03109
716 / 0036B	Boy Scouts of America	571 Holt Avenue Manchester, NH 03109
717 / 0013A	Arcidy Realty	520 E. Industrial Park Dr. Manchester, NH 03109
717 / 0001A	Harvey Industries Inc.	1400 Main Street Waltham, MA 02451
478 / 0002	Eastgate Apt. Assoc. Ltd. Partnership	540 N. Commercial Street Manchester, NH 03101
478 / 0003L	Eastwood Homeowner's Assoc. c/o David Hamilton, President	31 Eastwood Way Manchester, NH 03109
478 / 0003Q	Eastwood Homeowner's Assoc. c/o Sheryl Petra, Chairperson & Treasurer	53 Eastwood Way Manchester, NH 03109
478 / 0003G	Eastwood Homeowner's Assoc. c/o Amber Heroux, Chairperson	32 Eastwood Way Manchester, NH 03109

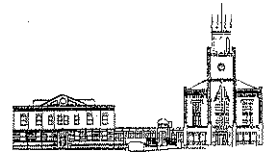


Robert S. MacKenzie, AICP
Director

CITY OF MANCHESTER

Planning and Community Development

Planning
Community Improvement Program
Growth Management



Staff to:
Planning Board
Heritage Commission
Millyard Design Review Committee

May 10, 2006

Mr. Leo Bernier, City Clerk
City of Manchester
One City Hall Plaza
Manchester, NH 03101

Re: *Technical Review, Rezoning Petition – Holt Avenue*

Dear Mr. Bernier:

In accordance with the procedures on rezoning requests, the following information is being provided to your office in consideration of a rezoning request filed by agents for the owners of property on Holt Avenue (Lot 716-38). The subject parcel involves one parcel (that is proposed to be subdivided) on the southern side of Holt Avenue between East Industrial Park Drive and Waverly Street. It is 3.9+ acres in size, with a single-family residence. The subject property is currently zoned *Industrial (IND)*. The applicant is requesting that the zoning district be changed to Multi-family Residential (*R-SM*).

Presently, the land across the street from the site is zoned R-SM and includes townhouse units including Eastgate Apartments. As such, the proposal would be an extension of an existing zoning district rather than the creation of a new one. The proposal for the land, if rezoned, would be for townhouse units, which are permitted in the R-SM district. The 1993 Master Plan for the City of Manchester does not show the existing R-SM land in this area or proposed expansions of it.

From a technical perspective, the petition may be forwarded to the Board of Mayor and Aldermen for consideration. Additional information may be required prior to the hearing as identified in 16.02 of the Manchester Zoning Ordinance. Consistent with the policy for rezoning petitions, the planning staff is providing a copy of the petition to the Planning Board, the Building Department and the Office of the City Solicitor for comment. Given that the land to be rezoned is currently Industrial, I have also begun discussions with the Director of Economic Development to gain his perspective on the change.

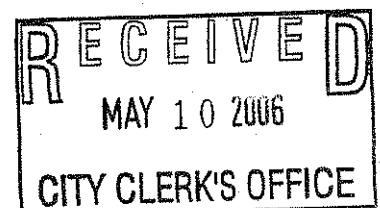
Please let me know when this will be referred to the Board of Mayor and Aldermen for consideration so that I will be available to answer questions.

Sincerely,

Robert S. MacKenzie, AICP
Planning Director

C: Planning Board
Office of the City Solicitor
Building Department
Economic Development Office

One City Hall Plaza, Manchester, New Hampshire 03101
Phone: (603) 624-6450 Fax: (603) 624-6529
E-mail: planning@ManchesterNH.gov
www.ManchesterNH.gov





City of Manchester Planning Board
c/o City of Manchester Planning & Community Development Dept.
One City Hall Plaza
Manchester, New Hampshire 03101
603-624-6450
Fax (603-624-6529)

June 9, 2006

Honorable Board of Mayor and Aldermen
City of Manchester
One City Hall Plaza
Manchester, NH 03101

Re: *Proposed Amendment to Zoning Map – Holt Avenue*

Honorable Board Members:

At our most recent business meeting in May, the Planning Board discussed the proposed rezoning petition involving approximately 3.9 acres of land on Holt Avenue, between East Industrial Park Drive and Waverly Street. The property, known as Map 716/Lot38, with an address of 603 Holt Avenue, is presently zoned General Industrial (IND) and the applicant is requesting a change of this parcel to Suburban multi-family (RSM). The proposal involves maintaining the existing single family home on approximately 0.7 acres and developing the remaining 3.2 acres with 33 units of townhouses.

With this particular proposed amendment, the Planning Board was split in its opinion of the request. Some members felt that extending the R-SM across the street and rezoning the land, developing it consistent with the submitted plan, would be reasonable and consistent with the existing townhouses on the north side of Holt Avenue. Other Planning Board members felt that Manchester is consistently giving up, and rezoning, what little remains of industrial land in Manchester. Those members felt that building residential units on land surrounded by industrial uses would place a heavy burden on those existing industries to buffer their conforming operations from the new residential units. Those Planning Board members felt that the existing industrial uses would be limited in their expansion, since certain activities are prohibited in buffer areas between industrial and residential areas.

Another comment echoed by many of the Planning Board members was that, given the current review and update of the Master Plan, perhaps this request for rezoning is premature until the updated Master Plan is adopted later next year.

Thank you for taking our comments into consideration during your deliberations of this rezoning request.

Sincerely,

Kevin A. McCue, Chairman
Manchester Planning Board

C: Robert S. MacKenzie, Planning Director
Paul Borek, Economic Development Director

14

FOUGERE PLANNING & DEVELOPMENT Inc.

Mark J. Fougere, AICP

253 Jennison Road Milford, New Hampshire 03055

phone: 603-315-1288

fax: 603-249-9314

email: mfougere@adelphia.net

May 28, 2006

Attorney John Cronin
Cronin & Bisson, PC
722 Chestnut Street
Manchester, NH 03104

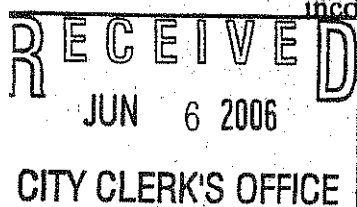
Dear Attorney Cronin,

At your request, I have reviewed the Petition For Rezoning submitted by 127 Elm Street, LLC to rezone a three acre parcel located at 603 Holt Avenue from Industrial to R-SM (Residential Suburban Multi-family District). Relative to this matter, I offer the following comments:

Fringe areas between zoning districts, the boundary line separating two divergent zoning districts, can often create conflicts between two adjoining non-compatible land uses. This certainly is the case with the zoning in this neighborhood, with the existing Industrial zone lying to the south and east of the subject property and residential zones R-SM and R-1B lying to the north. This residential neighborhood has a mix housing types, including single family homes and townhome condominiums. The entrance to an existing condominium neighborhood lies directly across the street from the subject parcel.

The development of this property for an industrial use could result in a number of negative neighborhood impacts, including:

- The introduction of industrial truck traffic into the westerly portion of Holt Avenue, which is now primarily a residential street. Although two industrial buildings lie at the corner of East Industrial Park Drive and Holt Avenue, their primary access is from East Industrial Park Drive. At this time, it is not necessary for industrial related traffic to enter this portion of Holt Avenue. If this site was developed with an industrial use, tractor trailer trucks, delivery vehicles and other incompatible traffic would have to enter this existing residential area. In addition,



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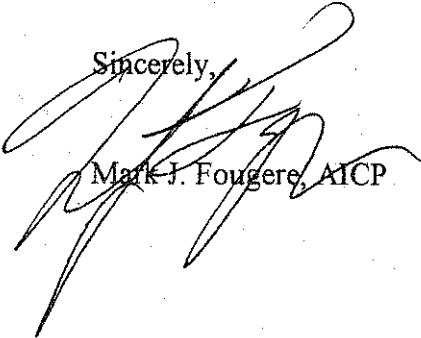
the potential exists for this industrial related traffic to take a short cut out of the neighborhood and exit the area via Waverly Street, which contains many single family homes.

- Industrial related noise (equipment, exhaust, air conditioners, loud speakers, back up alarms) could also be a factor. Many such uses have multiple shift operations, with some running 24 hours a day. This type of operation will impact the adjoining residential uses, degrading the quality of life for those homeowners. In addition, as a steep grade exists on Holt Avenue as it approaches the site, tractor trailer noise will be exacerbated as the trucks struggle to drive up the slope and brake heavily as they go down.
- The slope of the site creates a problem for industrial uses and would require extensive regrading in order to create a level and expansive building pad site. This grading would require that a majority of the existing trees on the site be removed.

The proposed rezoning request would create a compatible neighbor to the existing abutting residential uses. The proposed townhome condominium development that would occur on the subject site is more in keeping with the residential character of this area of Holt Avenue. These projects are fiscally positive and generate few demands on municipal services. Generally, private condominiums take care of their own trash, road plowing and other maintenance issues. In addition, townhomes generate few school age children and therefore impacts to the school system will be minimal. A residential development will be able to blend in with the existing site topography much easier than an industrial use, allowing for the preservation of mature trees and less land disturbance.

The proposed rezoning request will have a positive impact on the neighborhood and will not create a fiscal drain to the City. The site is more compatible to residential uses than industrial uses, given the sites topography and location. Industrial related traffic is not appropriate for this area of Holt Avenue, given the high number of existing homes lying off of Holt Avenue and Waverly Street.

Sincerely,



Mark J. Fougere, AICP



May 30, 2006

John Cronin, Esq.
Cronin & Bisson, P.C.
722 Chestnut St.
Manchester, NH 03104

Re: Zoning Change
603 Holt Ave., Manchester, NH
Tax Map 716, Lot 38

Dear Attorney Cronin:

Pursuant to your request, I have read the application for zoning change for the property known as 603 Holt Ave., Manchester, NH. The subject property consists of a single family home constructed in 1953, according to the city tax card. The home is sited on 3.9 acres and is in an industrial zone. The house appears to be sited at the northwest area of the site, allowing area for development around it. The home is on a reasonably level part of the site, but as one moves eastward on the site, the downslope becomes steeper.

Immediately to the west of the subject property is a property having a commercial/industrial use. A short distance to the east of the subject along Holt Ave. is East Industrial Park Dr., along which there is extensive industrial property usage. However, to the north of the subject is property in a residential zone, inclusive of a residential condominium complex (within view of the subject) and a subdivision of older single family homes.

I have studied the properties in the immediate area. In order to develop an opinion as to whether the presence of residential condominiums would have negative impact on value and/or marketability of surrounding properties, I have reviewed a number of sales of homes that abut or are in close proximity to condominium complexes, and compared those homes to sales of similar homes that are not in close proximity to condominiums. I was unable to discern a difference in either value or marketability.

It is my opinion that the proposed use of the subject property, that of residential condominiums, would not have any negative impact on the value or marketability of surrounding properties. Importantly, a small complex of residential condominiums known as Eastwood Condominiums already exists in the neighborhood. Further, it is my opinion that the construction of commercial/industrial buildings on the subject site may cause diminution of value of abutting and nearby residential properties, including Eastwood Condominiums.

N

I will be happy to discuss this report with you. Please do not hesitate to call me if you have any questions.

Respectfully Submitted,

A handwritten signature in cursive script, appearing to read "Mark H. McKeon".

Mark H. McKeon
President, NHCR-03



City of Manchester Welfare Department

510 Chestnut Street
Manchester, NH 03101-1412
(603) 624-6484 FAX (603) 624-6423
www.ci.manchester.nh.us

Paul R. R. Martineau
Commissioner

January 20, 2006

Zoning Board of Adjustment
Attn: Mr. Steven Freeman, Chairman
One City Hall Plaza
Manchester, N. H. 03101

Dear Mr. Freeman and Board Members:

I am writing the Zoning Board of Adjustment to support a variance request for William A. Bevelaqua to build 33 units of townhouse condominium housing on Holt Avenue. The hearing on this proposal is scheduled for February 2, 2006.

I was a member of the Mayor's Task Force on Housing along with numerous other community leaders. The Task Force produced a 20 page report in the summer 2002 called "ACTION STRATEGY for HOUSING". I am aware that this report was given to all the Board members at that time.

The primary impetus of the Task Force was seeking ways to increase workforce (affordable) housing. One section in the report under REGULATORY speaks about Zoning Ordinances and what can be done to encourage workforce housing by addressing regulatory areas in City government. This project called "Hartshorn Way" engenders the spirit of the Task Force goal of increasing workforce housing.

In these difficult budgetary times, it is important for Manchester to maintain its vitality and business friendly atmosphere through innovative housing approaches.

I respectfully request the Board consider approving this application with the knowledge that this project will encourage, with your assistance, workforce housing development in Manchester.

Sincerely,

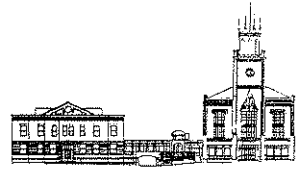
Paul R. R. Martineau
Welfare Commissioner

Cc: Mr. William A. Bevelaqua



CITY OF MANCHESTER

2006 Manchester Economic Development Office



Honorable Board of Mayor and Aldermen
City of Manchester
One City Hall Plaza
Manchester, NH 03101

RE: Proposed Amendment to Zoning Map – Holt Avenue

Honorable Board Members:

This is to recommend that the subject site on Holt Avenue between East Industrial Drive and Waverly Street be rezoned to residential use. The basis for this recommendation is the small size of the parcel, the elevation and varied grades of the parcel and the limited developable area of the parcel when accommodating grade, slope, wetland conditions and setbacks facing adjacent residential properties. While touring and evaluating the site with industrial developers, it was concluded that the 3.9 acre site could not accommodate sufficient buildable area to justify the cost of development. Further, the site is elevated above existing industrial properties in the East Industrial Park and bordered on two sides by residential property and wetlands on a third side. These factors may explain why the property has not been developed to date.

The proposed residential use can accommodate and better incorporate the site conditions into a productive, more efficient development. Recent adjacent residential projects have prospered and provide much needed housing for a growing Manchester work force.

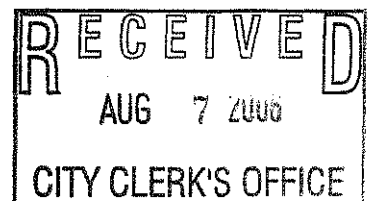
While the Global Economic Development Strategy prepared by AngelouEconomics recommends that the City of Manchester “expand the inventory of ready-to-build sites available for businesses,” it also recommends the City “promote diverse housing that is affordable for local workers”, noting the following excerpt from the National League of Cities (<http://www.nlc.org>):

Local governments are responsible to their residents for maintaining communities where their people can live, work, enjoy recreational activities, and access services. Affordable housing, comprehensive community development, and well-planned and coordinated land use foster communities that are vibrant, diverse and sustainable. Further, these are critical components to the economic vitality of communities and local economic regions for creating jobs and increasing municipal tax base.

While this parcel is being considered for market rate housing development, Manchester’s growing employee base in The Millyard, Downtown and throughout the City encompasses skilled professionals who need housing appropriate to their desires, lifestyle and budgets. Business leaders and demographic experts have articulated serious concerns about the State’s ability to maintain sufficient housing to accommodate needs of a growing business economy. Other larger parcels better suited for industrial and commercial development have been identified and are being evaluated by developers. It is my recommendation that the Holt Avenue parcel is better suited for the proposed residential development.

Sincerely,

Paul J. Borek
Economic Development Director



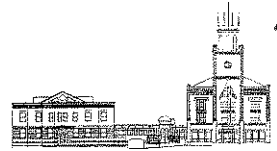


Robert S. MacKenzie, AICP
Director

CITY OF MANCHESTER

Planning and Community Development

Planning
Community Improvement Program
Growth Management



Staff to:
Planning Board
Heritage Commission
Millyard Design Review Committee

August 22, 2006

Honorable Board of Mayor and Aldermen
City of Manchester
One City Hall Plaza
Manchester, NH 03101

Re: Holt Avenue drainage issues

Dear Mayor Guinta and Board Members:

On August 7th, the committee of Bills on Second Reading recommended that the rezoning petition of property on Holt Avenue ought to pass, with a condition that the Planning Department provide a report to the full Board regarding potential drainage issues.

As is customary, the Planning Department seeks the input of the engineers at the Highway Department on drainage matters. We provided the Highway Department with information supplied by the applicant in support of the rezoning petition, and received the enclosed response. Any further determination of the impact of drainage from the proposed development on abutting property owners would require that the applicant submit additional drainage calculations for review.

Please let us know if additional assistance is required of the Planning Department.

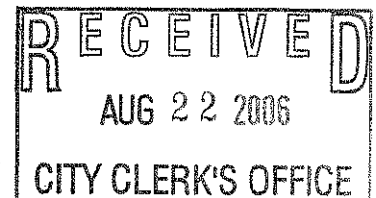
Sincerely,

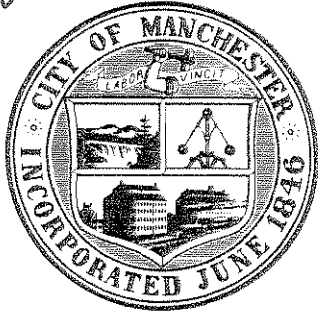
Pamela H. Goucher, AICP
Deputy Planning Director

Enc.

C: Robert S MacKenzie, AICP
Planning Director

One City Hall Plaza, Manchester, New Hampshire 03101
Phone: (603) 624-6450 Fax: (603) 624-6529
E-mail: planning@ManchesterNH.gov
www.ManchesterNH.gov





**City of Manchester
Department of Highways**

227 Maple Street
Manchester, New Hampshire 03103-5596
(603) 624-6444 Fax # (603) 624-6487

Commission

Edward J. Beleski
- Chairman
Joan Flurey
William F. Houghton Jr.
Robert R. Rivard
William A. Varkas

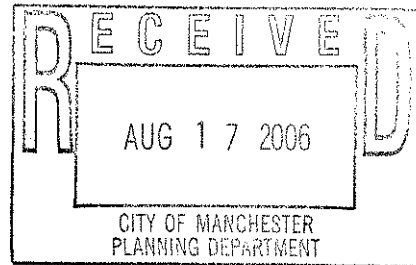
Frank C. Thomas, P.E.
Public Works Director

Kevin A. Sheppard, P.E.
Deputy Public Works Director

August 15, 2006

Ms Pamela Goucher, AICP
City of Manchester
Planning and Community Development
1 City Hall Plaza
Manchester, New Hampshire 03101

**RE: 603 Holt Avenue Rezoning
Drainage Analysis**



Dear Pam:

We have reviewed the information that you sent regarding the rezoning of a parcel at 603 Holt Avenue. The site is currently wooded and the development will partially clear the lot and construct eight buildings and an access roadway. These actions will substantially change the drainage characteristics of the parcel. To decrease offsite impacts, an area has been provided for the construction of a detention basin. Even so, with the limited information provided we are unable to determine what the impact is to abutting parcels. At a minimum, the following information is required to make this determination:

- Preliminary drainage calculations that determine approximate pre and post development runoff rates.
- Preliminary design of the detention basin and proposed outlet structure.
- A description and/or map depicting where the runoff will flow after leaving the site.

If you should have any questions or if we can be of further assistance please do not hesitate to contact us.

Sincerely,

David L. Winslow, PE
Engineering Division

cc: Bruce A. Thomas, PE - Highway

O

To the Board of Mayor and Aldermen of the City of Manchester:

The Committee on Bills on Second Reading respectfully recommends, after due and careful consideration, that Ordinance:

“Amending the Zoning Ordinance of the City of Manchester by extending the B-2 (General Business) zoning district to include property currently zoned IND (Industrial) located on the south side of Gold Street east of the former Lawrence Branch of the B&M Railroad and including the following three lots Tax Map 875-14, 875-15, 875-16.

ought to pass.

(Aldermen Duval, Lopez, Garrity, and Pinard recorded in favor; Alderman Gatsas opposed)

Respectfully submitted,

L. H. Bernier

Clerk of Committee

0

City of Manchester New Hampshire

In the year Two Thousand and Six

AN ORDINANCE

"Amending the Zoning Ordinance of the City of Manchester by extending the B-2 (General Business) zoning district to include property currently zoned IND (Industrial) located on the south side of Gold Street east of the former Lawrence Branch of the B&M Railroad and including the following three lots Tax Map 875-14, 875-15, and 875-16."

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester, as follows:

SECTION 1. "Amending the Zoning Ordinance of the City of Manchester by extending the B-2 (General Business) zoning district to include property currently zoned IND (General Industrial/Industrial Park) located on Gold Street including Tax Map 875, Lots 14, 15, and 16, and being more particularly bounded and described as follows:

Beginning at a point on the centerline of the intersection of Gold Street and John E. Devine Drive extended, said point being on the zone boundary line of the B-2 (General Business) zone district and the IND (General Industrial/Industrial Park) zone district, prior to this amendment;

Thence, easterly along the centerline of Gold Street, also being the zone boundary line between the B-2 (General Business) zone district and the IND (General Industrial/Industrial Park) zone district, prior to this amendment, approximately 965 ft. to a point;

Thence, southerly along the zone boundary line of the B-2 (General Business) zone district and the IND (General Industrial/Industrial Park) zone district, prior to this amendment, a distance of approximately 570 ft. to a point;

Thence, southwesterly along the zone boundary line of the B-2 (General Business) zone district and the IND (General Industrial/Industrial Park) zone district, prior to this amendment, a distance of approximately 1,075 ft. to a point;

Thence, northwesterly generally along the centerline of the former Lawrence Branch of the Boston and Maine Railroad, a distance of approximately 1,090 ft. to a point, said point being the zone boundary line of the R-1B (Residential One-Family) zone district and the IND (General Industrial/Industrial Park) zone district, prior to this amendment;

Thence, easterly along the centerline of Gold Street, also being the new zone boundary line between the B-2 (General Business) zone district and the IND (General Industrial/Industrial Park) zone district, after this amendment, a distance of approximately 515 ft. to a point, said point also being the point of beginning.

Said description to include TM 875, Lot 14, Lot 15, and Lot 16 consisting of approximately 19.43 acres of private land, to be rezoned from IND (General Industrial/Industrial Park) to B-2 (General Business) zone district, after this amendment.

SECTION II. Resolve this ordinance shall take effect upon passage.

DEVINE
MILLIMET

ATTORNEYS AT LAW

By Hand Delivery

SUSAN V. DUPREY
603.695.8505
SDUPREY@DEVINEMILLIMET.COM

June 19, 2006

Office of the City Clerk
One City Hall
Manchester, NH 03101-2097

RE: GFI Gold Street, LLC - Petition for Rezoning

Dear Sir or Madam:

Enclosed please find a Petition for rezoning parcels Map 875, Lot 15 and Map 875, Lot 16. Also enclosed is our check in the amount \$300.00. Our office represents GFI, which requests this rezoning.

Please feel free to contact me should you have any questions regarding this matter or if additional information is required. Thank you.

Very truly yours,



Susan V. Duprey

SVD:ml

Enclosures

J:\WDOX\DOCS\CLIENTS\16717\76570\M0875840.DOC

July 11, 2006.

In Board of Mayor and Aldermen.

On motion of Alderman Garrity, duly seconded by Alderman Forest, it was voted to refer the petition for rezoning to a Public Hearing on Monday, August 7, 2006 at 6 PM in the Aldermanic Chambers of City Hall and further to authorize execution of agreements enclosed subject to the review and approval of the City Solicitor.


City Clerk

STATE OF NEW HAMPSHIRE
CITY OF MANCHESTER

GFI GOLD STREET, LLC

PETITION FOR REZONING

NOW COMES the Petitioner, GFI Gold Street, LLC, by and through its attorneys, Devine, Millimet & Branch, Professional Association, and petitions the Board of Mayor and Aldermen of the City of Manchester, in accordance with Article 16 of the City of Manchester Zoning Ordinance, to change the zone of and amend the Zoning Map regarding 2 parcels of land, one of which is located at 725 Gold Street and the other of which is near Gold Street, County of Hillsborough, City of Manchester and identified as Map 875 Lot 15 and Map 875 Lot 16 in the tax records for the City of Manchester. In support thereof, Petitioner states as follows:

1. GFI Gold Street, LLC is the owner of record of that parcel of land located at 725 Street and identified as Map 875 Lot 15 in the tax records of the City of Manchester (Property 1). Property 1 is approximately 15.178 acres in size and was formerly the site of Associated Grocers which has since relocated. Property 1 is currently zoned Industrial.

2. Ashkars Children's Limited Liability Company and John N. Ashkars own a parcel near Gold Street which has no building situate on it and abuts Property 1 which land is identified as Map 875 Lot 16 in the tax records of the City of Manchester ("Property 2"). Property 2 is approximately 36,864 square feet in size and is also zoned Industrial. Property 2 is subject to a purchase agreement in favor of GFI Gold Street, LLC.

3. The Petitioner, GFI Gold Street, LLC, for itself as owner of Property 1 and as agent for the owners of Property 2, seeks to change the zoning classification of Property 1 and Property 2 from Industrial to B-2 in order to locate a retailer on Property 1 and Property 2.

4. A copy of the tax map showing Property 1 and Property 2 as situated in the Industrial Zone and the zoning designations for the surrounding properties is attached is Exhibit A.

5. It is believed that the change of zone will have little impact on the surrounding area in that much of the surrounding area was either zoned B-2, has been rezoned from

O

Industrial to B-2 or variances have been granted to allow uses permitted in the B-2 zone. Changing the zone to B-2 will reduce heavy truck traffic in the area as Property 1 is now used as a 24 hour per day trucking terminal. Plans are being prepared to help address and to generally improve conditions on Gold Street.

6. This proposed change will have a substantial positive tax revenue impact for the City of Manchester and will have no effect on the environment as Property 1 is already developed for an industrial use. There will be no impact on municipal services or facilities.

7. The names, addresses, tax map numbers and lot numbers of all abutting property owners and all properties on the opposite side of the street from Property 1 and Property 2 are attached as Exhibit B.

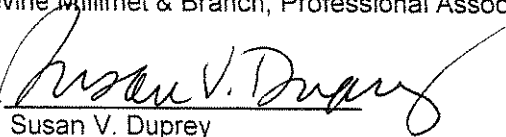
8. A metes and bounds description of Property 1 and Property 2 is attached as Exhibit C.

9. The Petitioner respectfully requests that the Honorable Board of Mayor and Aldermen approve this request to change the zone for Property 1 and Property 2 from Industrial to B-2 and to amend the Zoning Map to reflect this change.

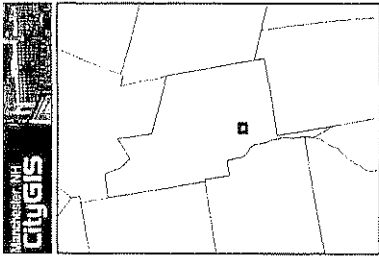
Respectfully submitted,

GFI Gold Street, LLC
By its Attorneys,
Devine Millimet & Branch, Professional Association

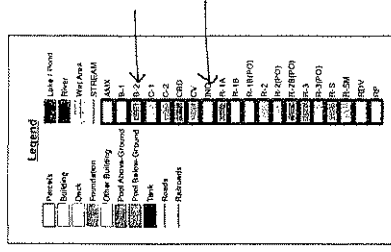
By


Susan V. Duprey
111 Amherst Street
Manchester, NH 03101
(603) 695-8505

Dated: June 19, 2006



Area Map Showing Extent of Map At Left



DISCLAIMER

The information appearing on this map is for the convenience of the user and is not an official public record of the City of Manchester, NH (the "City"). This map is not survey-quality. All boundaries, easements, areas, measurements, rights-of-way, etc. appearing on this map should only be used for general information and should not be relied upon for any particular use. The City assumes no liability whatsoever associated with this information. The official public records from which this information was compiled are kept in the offices of various City, County and State government agencies and departments, and are available for inspection and copying during normal business hours. By using this map, you agree to these terms and conditions.

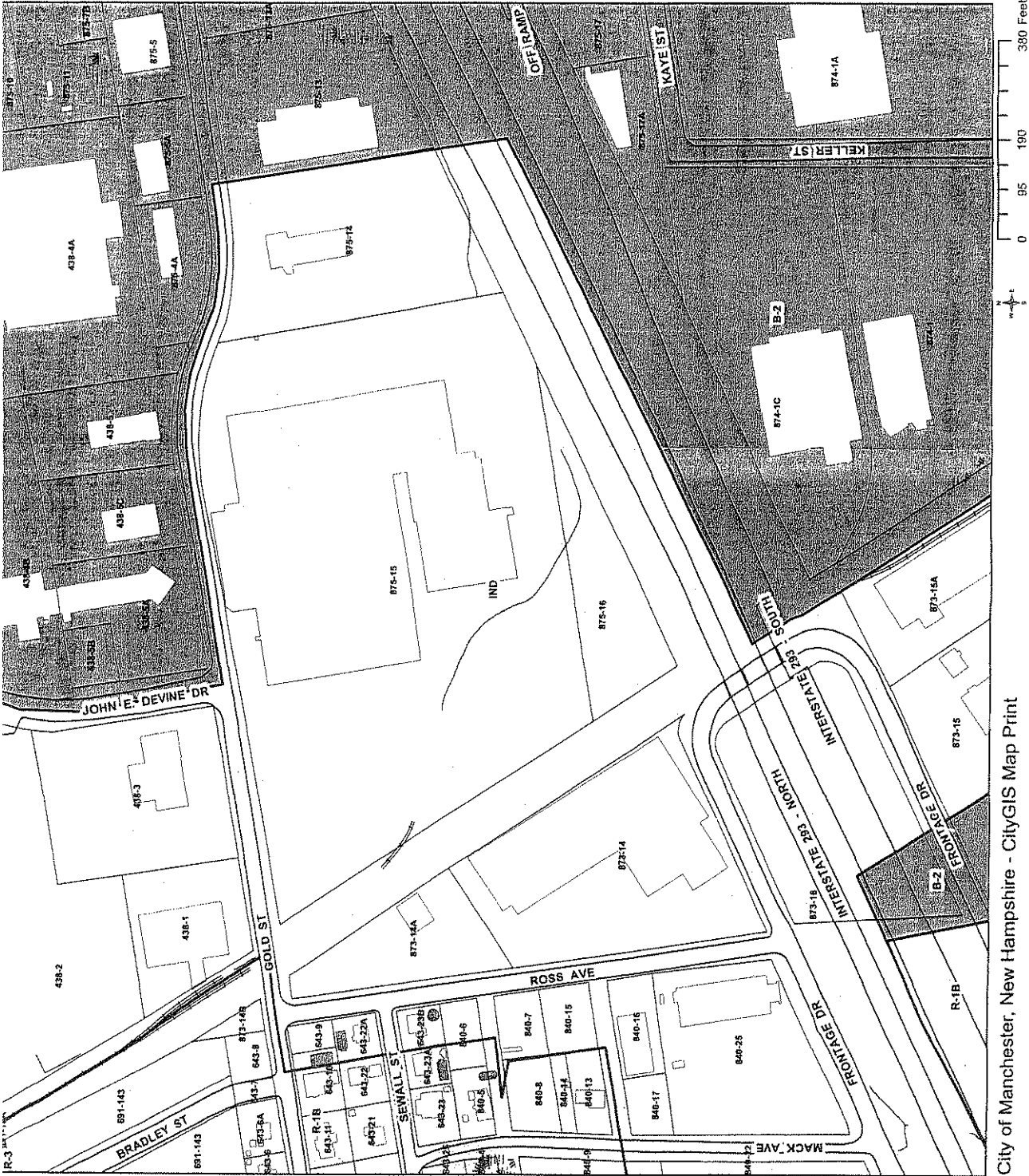




Exhibit C

Legal Description for Lot 875-15, located at 725 Gold Street, Manchester:

A certain tract or parcel of land with the buildings thereon, situate in Manchester, Hillsborough County, State of New Hampshire, being Lot 875-15 on Plan # _____, entitled "ALTA/ACSM Land Title Survey, 725 Gold Street in Manchester, New Hampshire (Hillsborough County), dated December 22, 2005, prepared by BSC Group, more particularly bounded and described as follows:

Beginning at a point on the northeasterly corner of the Lot on the southerly line of Gold Street; thence

1. South $9^{\circ} 17' 43''$ East, a distance of 80.15 feet to a concrete bound found; thence
2. South $09^{\circ} 76' 53''$ East, a distance of 488.15 feet by the westerly side of Lot 875-14; to an iron pipe at the southeasterly corner of the lot; thence
3. South $64^{\circ} 53' 52''$ West, a distance of 310.73 feet by the northerly line of the Interstate Highway 293 to an iron pipe; thence
4. South $82^{\circ} 28' 33''$ West, a distance of 517.33 feet by the northerly line of Lot 875-16 to an iron pipe at the southeasterly corner of the premises; thence
5. North $32^{\circ} 51' 25''$ West, a distance of 21.90 feet to an iron pipe; thence
6. North $08^{\circ} 01' 16''$ West, a distance of 19.62 feet to an iron pipe; thence
7. North $32^{\circ} 51' 25''$ West, a distance of 714.62 feet by the easterly side of the rail road tracks to an iron pipe at the northwest corner of the premises on the southerly line of Gold Street; thence
8. North $80^{\circ} 33' 28''$ East, a distance of 305.63 feet by the southerly line of Gold Street to an iron pipe; thence
9. North $80^{\circ} 16' 28''$ East, a distance of 586.18 feet by the southerly line of Gold Street to an iron pipe; thence
10. Curving in a southeasterly direction with a radius of 399.80 feet, along the southerly line of Gold Street, a distance of 230.44 feet to the point of beginning.

Containing 15.178 Acres, more or less.

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Legal Description for Lot 875-16, located on Gold Street, Manchester:

A certain Tract or parcel of land, situated in Manchester, bounded and described as follows:

Beginning at a point on the southwest corner of the premises north of the Interstate Highway 293, thence

1. North $32^{\circ} 51' 25''$ West along said Manchester-Lawrence Railroad for a distance of 157.68 feet, more or less to an iron post set at land of Associated Grocers; thence
2. South $82^{\circ} 28'$ East for a distance of 517.33 feet, more or less to the interstate Highway 293; thence
3. South $64^{\circ} 53' 52''$ West for a distance of 471.90, along said Interstate Highway 293 to the point of beginning.

RECEIVED
MANCHESTER CITY CLERK

Ashkar Children's Trust Limited Liability Company
Mrs. Georgette Ashkar, Managing Member
8160 East Quincy Avenue
Cherry Hills Village, CO 80111
(303) 796-8128

Mr. John Ashkar
29 Fairmount Drive
Danbury, CT 06811
(203) 792-4963
JUN 20 P12:21

June 19, 2006

The Board of Mayor and Aldermen
of the City of Manchester
One City Hall
Manchester, NH 03101-2097

Re: Authorization to Pursue Rezoning

To Whom It May Concern:

We, the undersigned, being the owners of the real property sometimes referred to as Map 875, Lot 16, located near Gold Street in Manchester, New Hampshire, hereby grant our authority to GFI Gold Street, LLC, to take any and all actions required or deemed necessary to re-zone the property from "Industrial" to "B 2".

Thank you for your attention to this matter, and if you have any questions please contact our counsel, Susan Perkins of Perkins Ruschena, LLC, at (303) 779-8100.

Sincerely,

Ashkar Children's Trust Limited Liability
Company


By: Georgette Ashkar, Managing Member


By: John Ashkar



Robert S. MacKenzie, AICP
Director

CITY OF MANCHESTER

Planning and Community Development

Planning
Community Improvement Program
Growth Management



Staff to:
Planning Board
Heritage Commission
Millyard Design Review Committee

June 28, 2006

Mr. Leo Bernier, City Clerk
City of Manchester
One City Hall Plaza
Manchester, NH 03101

Re: *Technical Review, Rezoning Petition – Gold Street*

Dear Mr. Bernier:

In accordance with the procedures on rezoning requests, the following information is being provided to your office in consideration of a rezoning request filed by the owner of one property and agent for a second property on Gold Street (including two lots: Lot 875-15 and 875-16). The subject parcels are located on the south side of Gold Street east of the former Lawrence Rail Branch. The first property is 15.2 acres currently containing the Associated Grocers Building and the second is .85 acres in size that is vacant. The subject properties are currently zoned *Industrial (IND)*. The applicant is requesting that the zoning district be changed to General Business (*B-2*).

Presently, while the parcels are adjacent to a B-2 on one side, the rezoning action would create one parcel that would be zoned IND and surrounded by B-2. As this could be considered spot zoning, we would recommend that the parcel at 835 Gold Street (Lot 875-14; 3.42 acres) also be considered by the Board for rezoning from IND to B-2. In the 1993 Master Plan for the City of Manchester, this area was identified as Industrial land use although the plan also recognized that extension of the business zone into areas of industrial zone was likely and that certain precautions should be taken. The key precaution from the Master Plan as it relates to this rezoning request states "...the proposed district should be evaluated to insure that possible projects will not encourage additional traffic impacts upon residential areas..." The applicants, working with the City, have devised a traffic calming plan to mitigate impacts on Gold Street and Sewall Street which may be considered by the Board of Mayor and Aldermen.

From a technical perspective, the petition may be forwarded to the Board of Mayor and Aldermen for consideration. Consistent with the policy for rezoning petitions, the planning staff is providing a copy of the petition to the Planning Board, the Building Department and the Office of the City Solicitor for comment.

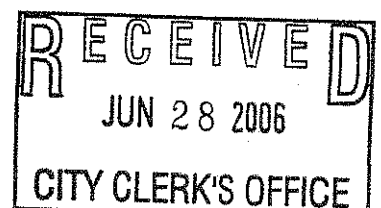
I will be available for any questions that the Board may have.

Sincerely,



Robert S. MacKenzie, AICP
Planning Director

C: Planning Board
Office of the City Solicitor
Building Department
Economic Development Office
One City Hall Plaza, Manchester, New Hampshire 03101
Phone: (603) 624-6450 Fax: (603) 624-6529
E-mail: planning@ManchesterNH.gov
www.ManchesterNH.gov





CITY OF MANCHESTER

Manchester Economic Development Office



August 3, 2006

Honorable Board of Mayor and Aldermen
City of Manchester
One City Hall Plaza
Manchester, NH 03101

RE: Proposed Amendment to Zoning Map – Gold Street

Honorable Board Members:

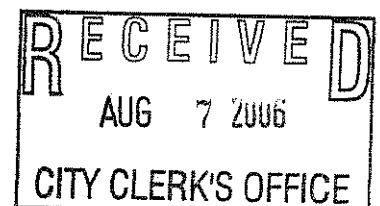
This to recommend the extension of the B-2 Zoning District to encompass the former Associated Grocer's Site, 725 Gold Street and an adjacent parcel. The proposed redevelopment of the Associated Grocers site into a new Home Depot store is projected to cost over \$21,000,000 and generate \$193,000 in new property tax revenue to the City annually. In addition the project will allow Home Depot to expand in the City of Manchester, rather than relocating out-of-town. The existing space leased by Home Depot is in great demand by quality national retailers and will be redeveloped in short order.

In addition GFI/Home Depot development venture is contributing \$4,000,000 to the Gold Street Improvement Project. This project will widen and/or bypass narrow portions of Gold Street and improve and signalize neighborhood street intersections resulting in improved traffic flow, increased safety, curbside visitor parking, sidewalks and landscaping. This improvement to Gold Street will enable the City to entertain additional retail zoning requests near the Associated Grocer/Home Depot site which could generate significant additional investment and new property tax revenue while reducing industrial traffic truck traffic in the area. Based on acreage and lot coverage projections, the City could realize as much as \$184,000 in additional new property tax revenue from future adjacent retail development. In addition, the City could negotiate to recover a portion of the City's Gold Street improvement costs from future developers.

The Gold Street site is adjacent to the growing and successful South Willow Street retail district in close proximity to residential neighborhoods. Industrial truck traffic is incompatible with consumer and neighborhood traffic automobile. In my recommendation that the highest and best use of this site is retail, not industrial.

Sincerely,


Paul J. Borek
Economic Development Director



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To the Board of Mayor and Aldermen of the City of Manchester:

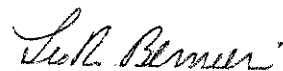
The Committee on Bills on Second Reading respectfully recommends, after due and careful consideration, that Ordinance:

“Amending the Zoning Ordinance of the City of Manchester by extending the R-3 (Urban Multi-family) zoning district to include property currently zoned R-1B (Single-family) located on a portion of Tax Map 691 Lot 143-1 that will be on the north side of a proposed Gold Street Bypass and adjacent to Bradley Street and the New St. Augustin’s Cemetery

ought to pass.

(Aldermen Duval, Lopez, Garrity, and Pinard recorded in favor; Alderman Gatsas opposed)

Respectfully submitted,



Clerk of Committee

City of Manchester New Hampshire

In the year Two Thousand and Six

AN ORDINANCE

"Amending the Zoning Ordinance of the City of Manchester by extending the R-3 (Urban Multi-family) zoning district to include property currently zoned R-1B (Single-family) located on a portion of Tax Map 691 Lot #143-1 that will be on the north side of a proposed Gold Street Bypass and adjacent to Bradley Street and the New St Augustin's Cemetery"

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester, as follows:

SECTION 1. Amending the Zoning Ordinance of the City of Manchester by extending the R-3 (Urban Multi-family) zoning district to include property currently zoned R-1B (Single-family) located on a portion of Tax Map 691 Lot #143-1 that will be on the north side of a proposed Gold Street Bypass and adjacent to Bradley Street and the New St Augustin's Cemetery and being more particularly bounded and described as follows:

Beginning at a point at the centerline of Bradley Street at a point opposite the property lines of New Beech Hill Development Company, LP (TM 691-15A) and the Diocese of Manchester (shown on a subdivision plan approved by the Planning Board on February 23, 2006 as TM 691-143-1), said point being on the zone boundary line of the R-3 (Urban Multi-family) district and the R-1B (Single-family), prior to this amendment;

Thence, westerly across the Right of Way of Bradley Street and continuing along the northerly boundary of said property of the Diocese of Manchester TM 691-143-1, said line also being the zone boundary line between the R-3 (Urban Multi-family) district and the R-1B (Single-family), prior to this amendment, approximately 1206 ft. to a point;

Said point being the end of the northerly boundary of the Diocese of Manchester TM 691-143-1, and at the intersection with the following properties: TM 691-143, TM 691-135, TM 691-136 and TM 691-15A;

Thence, southerly along the boundary of property of the Diocese of Manchester TM 691-143-1 a distance of 285.94 ft. to a point;

Thence, easterly along the boundary of property of the Diocese of Manchester TM 691-143-1 a distance of 295.71 ft. to a point;

Thence, southerly along the boundary of property of the Diocese of Manchester TM 691-143-1 a distance of approximately 130 ft. to a point, said point being on the edge of the proposed Right of Way of the Gold Street Bypass;

Thence, easterly across the Right of Way of the Gold Street Bypass to the centerline of said Bypass a distance of approximately 30 feet to a point;

P

City of Manchester New Hampshire

In the year Two Thousand and Six

AN ORDINANCE

"Amending the Zoning Ordinance of the City of Manchester by extending the R-3 (Urban Multi-family) zoning district to include property currently zoned R-1B (Single-family) located on a portion of Tax Map 691 Lot #143-1 that will be on the north side of a proposed Gold Street Bypass and adjacent to Bradley Street and the New St Augustin's Cemetery"

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester, as follows:

Thence, northeasterly and easterly along the centerline of the Right of Way of the Gold Street Bypass as extended to the centerline of Bradley Street a distance of approximately 1,017 feet to a point;

Thence northerly along the centerline of Bradley Street to a point opposite the property lines of New Beech Hill Development Company, LP (TM 691-15A) and the Diocese of Manchester (TM 691-143-1) a distance of approximately 324 feet to a point, said point also being the point of beginning.

Said description meaning to include a portion of property of the Diocese of Manchester (shown on a subdivision plan approved by the Planning Board on February 23, 2006 as TM 691-143-1) consisting of approximately 8.1 acres of private land, to be rezoned from the R-1B (Single-family) zoning district to the R-3 (Urban Multi-family) zoning district, after this amendment.

SECTION II. Resolve this ordinance shall take effect upon passage.



Robert S. MacKenzie, AICP
Director

CITY OF MANCHESTER

Planning and Community Development

Planning
Community Improvement Program
Growth Management



Staff to:
Planning Board
Heritage Commission
Millyard Design Review Committee

July 20, 2006

Honorable Board of Mayor and Aldermen
City Hall
One City Hall Plaza
Manchester, New Hampshire 03101

re: Rezoning of Diocese Property behind Gold Street

Honorable Board Members:

This is to submit a request for rezoning for a portion of the Diocese Property adjacent to the proposed Gold Street Bypass from a single-family district (R-1B) to a multi-family district (R-3). The agreement that the Board recently acted upon called upon the City to initiate this rezoning. The Diocese has offered to donate the land necessary to create the new Gold Street Bypass as part of an overall plan to mitigate traffic in the area.

As this rezoning and the subsequent dedication of street area is necessary to complete the traffic improvements, it may be appropriate for the Board to time the final action on the rezoning of the Associated Grocers site with the rezoning of the Diocese property to insure that the creation of the Bypass is feasible.

From a technical standpoint, the Diocese rezoning is an extension of an existing multi-family zoning district and there are no other specific issues to preclude the rezoning to proceed to public hearing.

If you have any questions, I will be available at your next meeting.

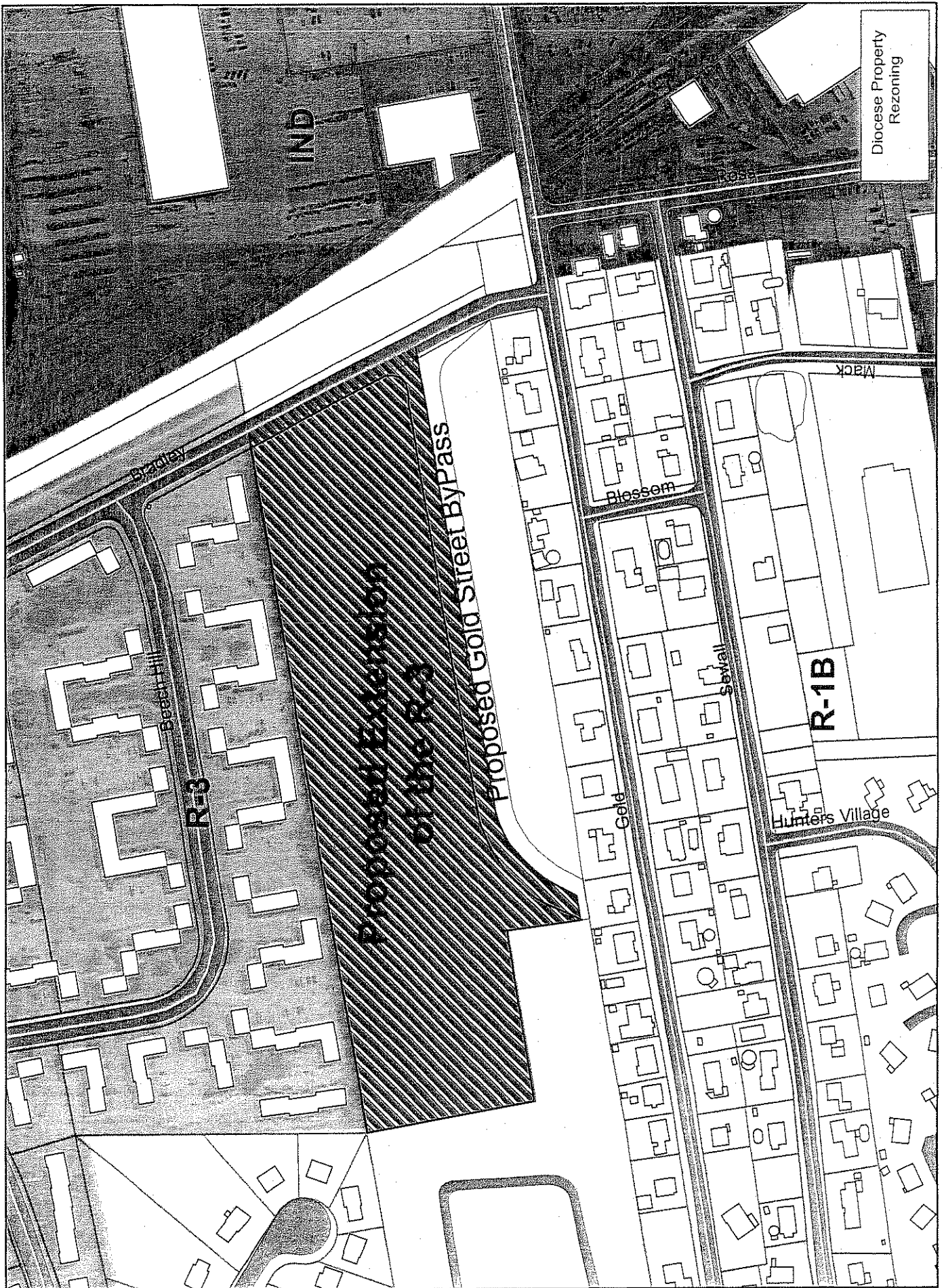
Sincerely,

Robert S. MacKenzie, AICP
Director of Planning & Community Development

C: Planning Board
Building Department
Brad Cook
Tom Arnold
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P





CITY OF MANCHESTER

Manchester Economic Development Office



August 3, 2006

Honorable Board of Mayor and Aldermen
City of Manchester
One City Hall Plaza
Manchester, NH 03101

RE: Proposed Amendment to Zoning Map – Diocese Property Behind Gold Street

Honorable Board Members:

This is to recommend that the R-3 Zoning be extended south to encompass a 9-acre parcel created by the Manchester Diocese donation of right-of-way for the proposed Gold Street Bypass. The remaining Diocese property, between the new Gold Street Bypass and existing single family homes will retain single family zoning allowing for a compatible buffer between existing homes and the proposed Bypass.

By donating the requested right-of-way, the Manchester Diocese enabled the City of Manchester, with the generous assistance of Home Depot, to solve a decades old traffic problem in the Gold Street neighborhood. Without the Diocese donation of right-of-way, further redevelopment of the Gold Street would be prohibited. Doing so allows Home Depot to expand, create new property tax revenue and allows other retailers to expand in or relocate to adjacent parcels the City of Manchester.

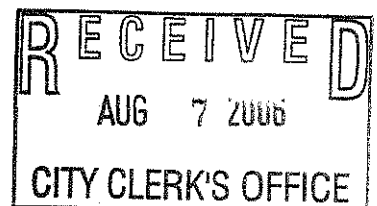
The Global Economic Development Strategy prepared by AngelouEconomics recommends that the City of Manchester “promote diverse housing that is affordable for local workers”, noting the following excerpt from the National League of Cities (<http://www.nlc.org>):

Local governments are responsible to their residents for maintaining communities where their people can live, work, enjoy recreational activities, and access services. Affordable housing, comprehensive community development, and well-planned and coordinated land use foster communities that are vibrant, diverse and sustainable. Further, these are critical components to the economic vitality of communities and local economic regions for creating jobs and increasing municipal tax base.

While this parcel is being considered for market rate development, Manchester’s growing employee base in The Millyard, Downtown and throughout the City includes skilled technology and financial service professionals who need housing appropriate to their desires, lifestyle and budgets. New Hampshire business leaders and demographic experts have articulated concerns about maintaining sufficient housing availability for the demand of a growing business economy. The requested rezoning helps to address the need for housing to accommodate the growing Manchester employment base. For these reasons, your approval of this request is recommended.

Sincerely,

Paul J. Borek
Economic Development Director



Q

To the Board of Mayor and Aldermen of the City of Manchester:

The Committee on Bills on Second Reading respectfully recommends, after due and careful consideration, that Ordinances:

“Amending the Zoning Ordinance of the City of Manchester by revising the CV (Conservation) zoning district boundary along the Piscataquog River.”

“Amending the Zoning Ordinance of the City of Manchester by changing the expiration period of variances, special exceptions, and conditional use permits in Article 15.03 to be consistent with the expiration period in Article 14.02.”

“Amending the Zoning Ordinance of the City of Manchester by inserting additional language into Article 6.10 Special Lot sizes in the R-2 District for clarification and consistency with the original intent of the special lot sizes in this district.”

“Amending the Zoning Ordinance of the City of Manchester by revising the definition of Lot width in Article 3.03 Definition of Terms.”

ought to pass.

(Aldermen Duval, Gatsas, Garrity and Pinard voted yea; Alderman Lopez was absent.)

Respectfully submitted,



Clerk of Committee

City of Manchester New Hampshire

In the year Two Thousand and Six

AN ORDINANCE

“Amending the Zoning Ordinance of the City of Manchester by revising the CV (Conservation) zoning district boundary along the Piscataquog River.”

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester,
as follows:

SECTION I.) Amending the Zoning Ordinance of the City of Manchester by revising the CV (Conservation) zoning district boundary along the Piscataquog River to include the following Tax Maps/Lots: 693/40B; 647/1; 647/2; 647/3; 647/4; 694/1; 701/42; 701/43; 701/44; 700/52; 648/5; 648/6; 648/7; 648/8; 648/12; 648/14; 648/58; 646/14; 646/23; 699/47; 699/54; 568/1; 736/5A; 736/7A; 736/8; 736/8A; 525/21; 525/21A; 526/2; 526/5A; and 632/35.

SECTION II.) Resolve this Ordinance shall take effect upon passage.

Q

City of Manchester New Hampshire

In the year Two Thousand and Six

AN ORDINANCE

"Amending the Zoning Ordinance of the City of Manchester by changing the expiration period of variances, special exceptions, and conditional use permits in Article 15.03 to be consistent with the expiration period in Article 14.02."

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester,
as follows:

SECTION I.) Amending the Zoning Ordinance of the City of Manchester by amending Article 15, Section 15.03B. Special Exceptions, Variances, and Conditional Use permits by removing the expiration date of *two (2) years* and inserting *one (1) year* in its place.

SECTION II.) Resolve this ordinance shall take effect upon passage.

City of Manchester New Hampshire

In the year Two Thousand and Six

AN ORDINANCE

“Amending the Zoning Ordinance of the City of Manchester by inserting additional language into Article 6.10 Special Lot sizes in the R-2 District for clarification and consistency with the original intent of the special lot sizes in this district.”

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester,
as follows:

SECTION I.) Amending the Zoning Ordinance of the City of Manchester by inserting additional language into Article 6.10 Special Lot sizes in the R-2 District, so that the first sentence reads:
“Within the R-2 District, *both vacant and developed* lots (*which contain otherwise conforming uses and structures*) created prior to May 19, 1987 of at least 5,000 square feet in area and a lot width of at least 50 feet shall be considered conforming and shall not be subject to consolidation provisions of this ordinance.”

SECTION II.) Resolve this Ordinance shall take effect upon passage.

Q

City of Manchester New Hampshire

In the year Two Thousand and Six

AN ORDINANCE

"Amending the Zoning Ordinance of the City of Manchester by revising the definition of Lot Width in Article 3.03 Definition of Terms."

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester, as follows:

SECTION I.) Amending the Zoning Ordinance of the City of Manchester by revising the definition of Lot Width in Article 3.03 Definition of Terms, so that it reads: "*The shortest horizontal distance between the side lot lines.*"

SECTION II.) Resolve this Ordinance shall take effect upon passage.

R

To the Board of Mayor and Aldermen of the City of Manchester:

The Committee on Bills on Second Reading respectfully recommends, after due and careful consideration, that Ordinance:

“Amending the Zoning Ordinance of the City of Manchester by adding language to Article 10.06(C) regarding required loading spaces.”

ought to pass.

(Aldermen Duval, Garrity and Pinard voted yea; Alderman Gatsas voted nay, Alderman Lopez was absent.)

Respectfully submitted,



Clerk of Committee

R

City of Manchester New Hampshire

In the year Two Thousand and Six

AN ORDINANCE

“Amending the Zoning Ordinance of the City of Manchester by adding language to Article 10.06(C) regarding required loading spaces”

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester,
as follows:

SECTION I.) Amending the Zoning Ordinance of the City of Manchester by adding language to Article 10.06(C) Loading Spaces such that the second sentence reads “Each loading space shall be a minimum of 12 feet in width and 50 feet in length, not including space for maneuvering, *unless waived by the Planning Board in conjunction with site plan or planned development review.*”

SECTION II.) Resolve this Ordinance shall take effect upon passage.

S

To the Board of Mayor and Aldermen of the City of Manchester:

The Committee on Bills on Second Reading respectfully recommends, after due and careful consideration, that Ordinance:

“Amending the Building Code of the City of Manchester as adopted in Section 151.01 of the City of Manchester Code of Ordinances by repealing the 1999 National Electrical Code and adopting the 2005 edition of the National Electrical Code.”

ought to pass.

(Aldermen Duval, Gatsas, Garrity and Pinard voted yea; Alderman Lopez was absent.)

Respectfully submitted,



Clerk of Committee

S

City of Manchester New Hampshire

In the year Two Thousand and

AN ORDINANCE

"Amending the Building Code of the City of Manchester as adopted in Section 151.01 of the City of Manchester Code of Ordinances by repealing the 1999 National Electrical Code and adopting the 2005 edition of the National Electrical Code."

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester, as follows:

SECTION 1. Certain documents, two (2) copies of each which are on file in the Office of the City Clerk of the City of Manchester being marked and designated as the *2005 National Electrical Code* as published by the International Code Council, Inc., be and are hereby adopted as the *Electrical Code* of the City of Manchester in the State of New Hampshire, and each and all of the regulations, provisions, penalties, conditions and terms of said *Electrical Code* are hereby referred to, adopted and made a part hereof, as if fully set out in this ordinance, with the additions, insertions, deletions and changes prescribed in Section 2 of this Ordinance.

SECTION 2. The following sections are hereby amended as follows:
(Note: Old text shown as struck-through; new text shown italicized.)

CHAPTER 1 ADMINISTRATION

101.4.1 Electrical. The provisions of NFPA 70 (National Electrical Code), ~~1999~~ *2005* Edition, and or/ such regulations administered by the State of New Hampshire Electricians Licensing Board shall apply to the installation of electrical systems, including alterations, repairs, replacement, equipment, appliances, fixtures, fittings and appurtenances thereto.

CHAPTER 27 ELECTRICAL.

2701.1 Scope. All such installations shall conform to the provisions of NFPA 70 (National Electric Code), ~~1999~~ *2005* Edition, and/or such regulations administered by the State of New Hampshire Electricians Licensing Board, whichever shall be deemed more stringent.

2702.1 Installation. Emergency and standby power systems shall be installed in accordance with the NFPA 70 (National Electrical Code), *2005* Edition, NFPA 110 and NFPA 111.

SECTION 3. This Ordinance shall take effect upon its passage.

T

To the Board of Mayor and Aldermen of the City of Manchester:

The Committee on Bills on Second Reading respectfully recommends, after due and careful consideration, that the Design Guidelines for the Arena Overlay District, enclosed herein, be approved.

(Aldermen Duval, Gatsas, Garrity and Pinard voted yea; Alderman Lopez was absent.

Respectfully submitted,

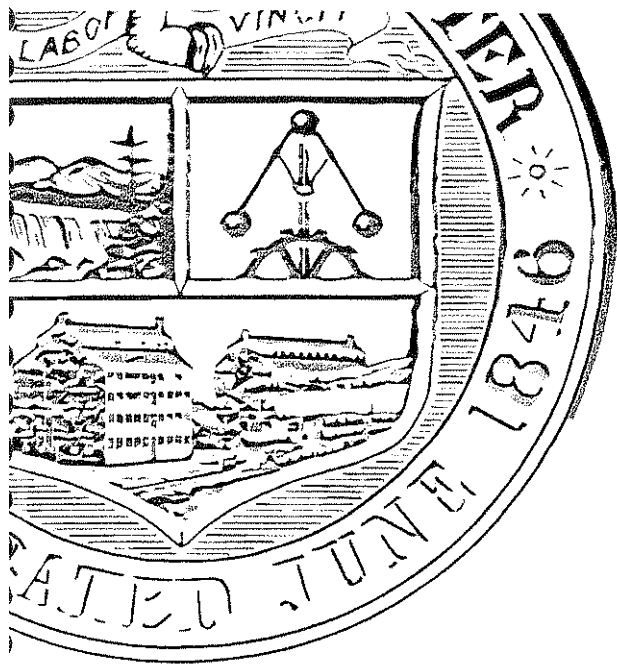

Clerk of Committee



The Arena District Urban Design Guidelines



City of Manchester - Department of Planning & Community Development
May 2004



Arena District Design Guidelines

PREPARED BY:
City of Manchester
Department of Planning & Community Development

May 2004

With contributions from:

The City of Manchester:
Department of Parks & Recreation
Department of Building

The State of New Hampshire:
Department of Fish & Game
The Governor's Commission on Disability

Chris Connors
Student of Landscape Architecture

Peter Tennant, AIA
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The New Hampshire Museum of History
Manchester Historical Society

Bob Smith, Marketing Consultant

Taylor Loop, Consultant

Eric Palson, AIA
Anthony Mento, Designer
Sheerr, McCrystal, Palson Architecture

Randy Knowles, ASLA
Knowles Design

Pelletieri Associates., Inc., ASLA

Barry Brensinger, AIA
Lavalle Brensinger Architects

Martha Lyon, ASLA
Historic Landscape Preservationist

Anne Creuss, ASLA
T. F. Moran, Inc.

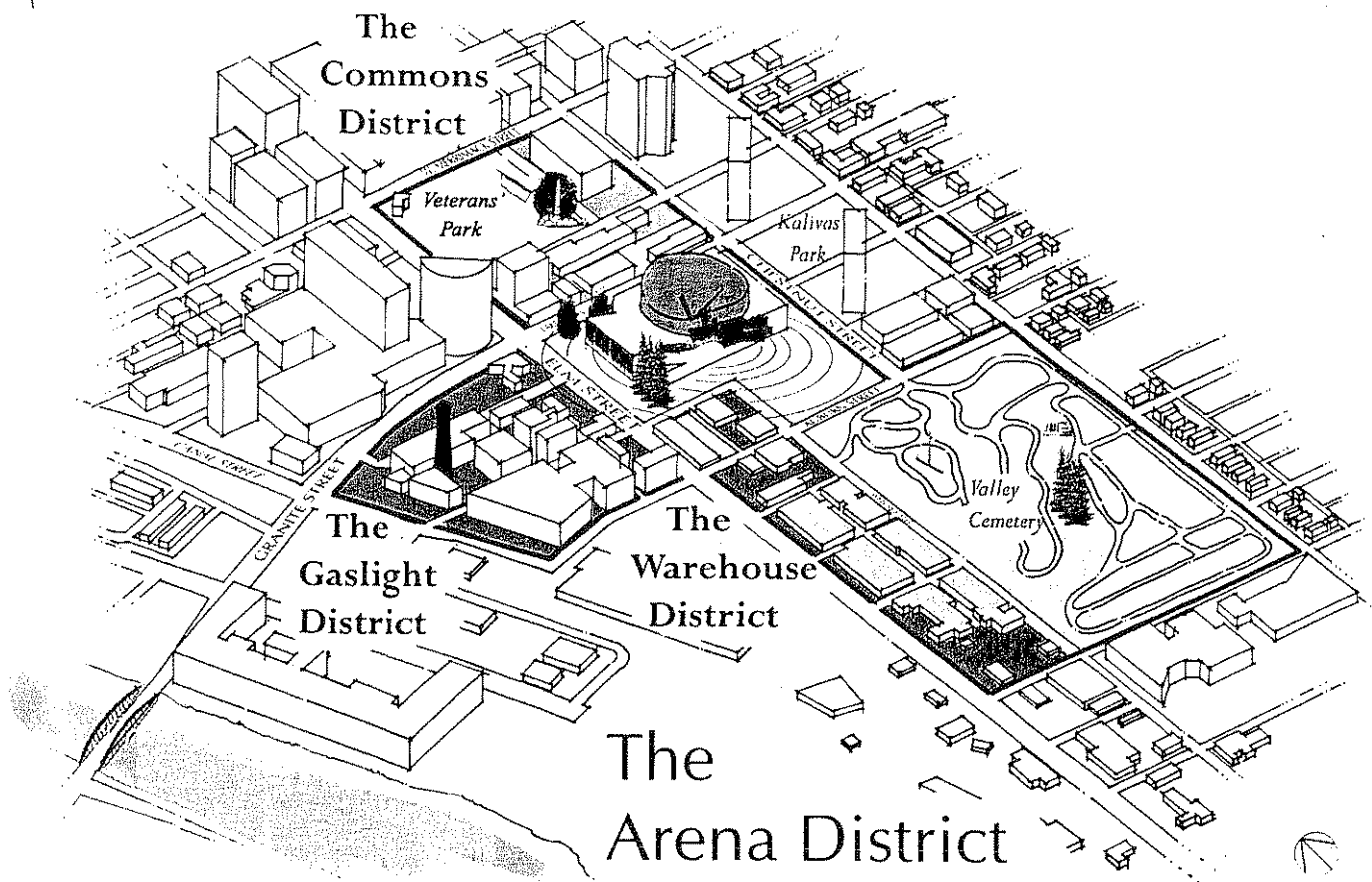
Rick Freed, Artist

Segway Corporation

The NH Segway Enthusiasts

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Purpose

The area surrounding the Verizon Wireless Arena is poised for long-term growth and improvement. The demonstrated success of the Arena to attract significant numbers of sports and entertainment customers to the area, coupled with the impending construction of a new baseball stadium and mixed-use development along the Merrimack River, will continue to enhance the image of this portion of the City. The Arena's success also has laid the groundwork for spin-off development throughout the Arena District. Planned transportation improvements in the area will also provide better accessibility for pedestrians and vehicles.

With ever-increasing numbers of visitors to these venues, the potential for a vibrant area of entertainment, nightlife, retail activity, services, restaurants, lodging and housing is strong. Future development must be a cooperative effort. The City of Manchester, private landowners and developers must take the right steps to ensure that the Arena District and its distinct neighborhoods achieve the greatest potential possible for residents and visitors.

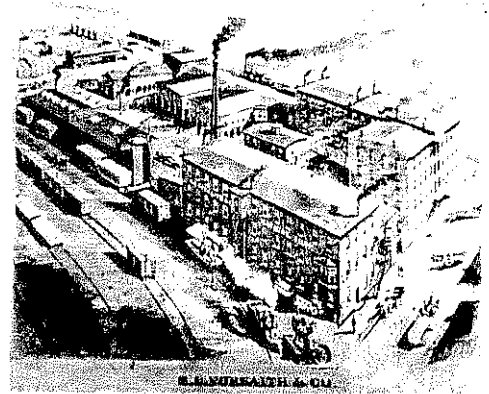
Three upgrades are critical to achieve this goal: 1. Making the area pedestrian friendly; 2. Creating a mixed-use environment with activities and services that are complimentary to the Arena and stadium; and 3. Upgrading the visual appeal and design quality of the adjacent neighborhoods. The City has adopted an Arena Overlay Zoning provision to help ensure that these improvement goals are met. As part of the provision, new developments and changes to existing sites and buildings must be submitted to the Planning and Community Development Department for design review.

The images presented in this document show examples of streetscape and architectural enhancements which can transform the Arena area into an enticing, visitor-friendly, and economically thriving environment. The accompanying Design Guidelines provide the framework for planning and design decisions. Planning and Community Development Department staff is available to review these guidelines prior to the submission of an application and development proposal.

Introduction

Historic Perspective

The Arena District was originally home to industrial neighborhoods supporting The Amoskeag Manufacturing Company. As business boomed during the late 1800's, and expansion space became unavailable on the Company's Mechanics' Row; machinists and pattern workers moved into The Gaslight District. With the coming of the railroad and Manchester Locomotive Works, the neighborhood continued to grow. The Ware-house District evolved as many storage facilities were built on either side of expanded tracks that extended down Manhattan Lane. Despite continual modifications over the years, many buildings, tracks and cobblestone streets still exist in both neighborhoods today. The Commons District is located to the north, with Veterans Park at its center. The Park, formerly known as Merrimack Commons, was part of a series of parks created by the Amoskeag Manufacturing Company as part of its original master plan for the City. For over 150 years, a variety of restaurants, shops and hotels have ringed this neighborhood due to its proximity to Elm Street, the City's main thoroughfare. With the growth of the Warehouse and the Gaslight Districts, the thriving Elm Street shopping corridor expanded southward. Late nineteenth century Sanborn maps document this with the addition of many new businesses and traditionally named blocks. The Blodgett & Young block, on the northwest corner of Elm and Depot Streets is the southern-most named block remaining on Elm Street today.

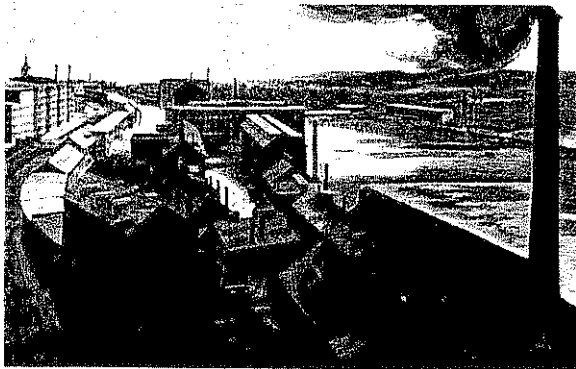


The corner of Canal and Depot Streets in the late 1800's.

Granite Street, a longtime gateway to the City, has a colorful history. Many times, its bridges were swept away by the Merrimack River and were subsequently rebuilt. Despite these interruptions, and its many iterations, the Granite Street bridge is said to have been responsible for the first settlements in West Manchester. The old building facades along Old Granite Street are representative of the earlier meat and produce shops that served Mill and City residents on their way home from work.

The Amoskeag District

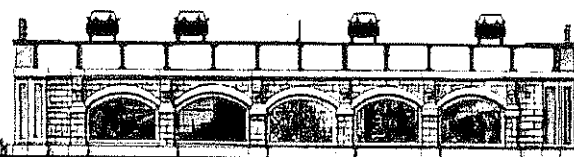
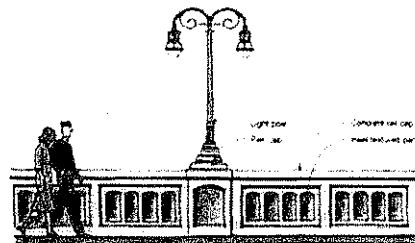
With its legacy of restored mill architecture, The District is representative of the company that dominated Manchester's economy until 1935. Sixty-four buildings were constructed here over a 75 year period from 1838-1915. At that time, they composed the largest gingham manufacturing industry in the world. In 1915, it was estimated that the Company produced 50 miles of cloth per hour.



Machine Shops along the Lower Canal.

The Gateway Corridor

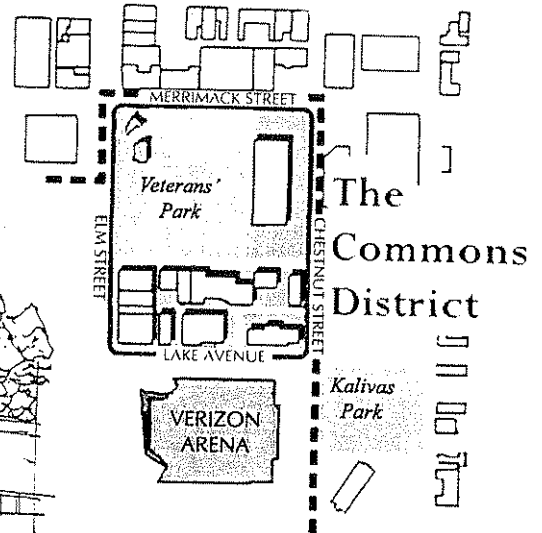
The newly designed Granite Street will improve pedestrian and vehicular access to the Arena District and the City itself. Details of the new design complement the architectural style and period of the historic Amoskeag District. Wide sidewalks on both sides of the street and bridge, better accommodate pedestrian passage. The pictures shown below depict some of the proposed features.



Views of proposed bridge sidewalks and art panel detailing beneath.



A sketch showing townhouses along Central Street bordering Veterans' Park.



The Commons

While some of the original turn-of-the-century fabric of the Commons District has been lost, many structures of historic significance remain. Despite architectural changes, similar types of retail, commercial, and service-oriented businesses continue to occupy the area. Veterans Park retains much of the elegance of its original design and is home to many activities throughout the year including a summer concert series, and "Art in the Park". The rich mixture of activity within the urban park setting makes this neighborhood an ideal location for future residential development.

Elm Street

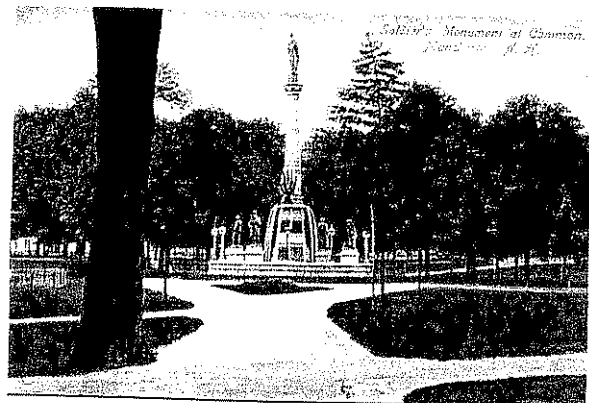
When the Amoskeag Manufacturing Company laid out its plan for the future City of Manchester in 1838, Elm Street was deemed its main thoroughfare; and has remained so ever since. Formidable businesses, and elegant residences along this wide street of stately blocks comprise this lively, ever-changing central corridor.



Elm Street in the early 1900s.

Veterans Memorial Park

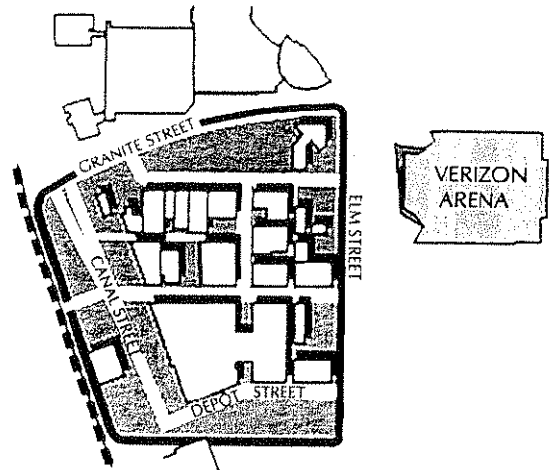
Home of the City's Visitor Center and bordered by the Hillsborough County Court House, Veterans Park contains several memorials. Soldier's Monument, dedicated in 1879, was created by architect George Keller and three sculptors from New York City. It is the largest and most elaborate of the 'soldiers and sailors' style monuments in New Hampshire.



An old postcard shows Soldiers' Monument and the park's early landscape.



A possible design for Old Granite Street inspired by conceptual plans for the Arena.



The Gaslight District

The Gaslight District is located southeast of the Amoskeag Mills, north of the former People's Gas Light Co., and borders southern Elm Street, directly across from the Verizon Wireless Arena. Companies like S. C. Forsaith Machine Co.; Albion H. Lowell, makers of ornamental iron works; Palmer & Garmon, marble workers; and John B. Varick hardware were the original owners of the buildings in the district. This neighborhood provides an opportunity to create a memorable first impression of the City because of its proximity to the Arena, future baseball stadium and transportation facilities. To welcome visitors, the District should have a distinctive ambiance and provide the appropriate amenities for travelers, arena patrons, and baseball fans, while accommodating the needs of local businesses and residents.

Transportation Hub

The City of the future may need to accommodate light rail, a monorail, and trolleys, in addition to bicycles, Segways, scooters, rollerblades and more. Pictured right is an elevation drawing of the passenger station that was formerly located just southwest of the District near Singer Family Park.



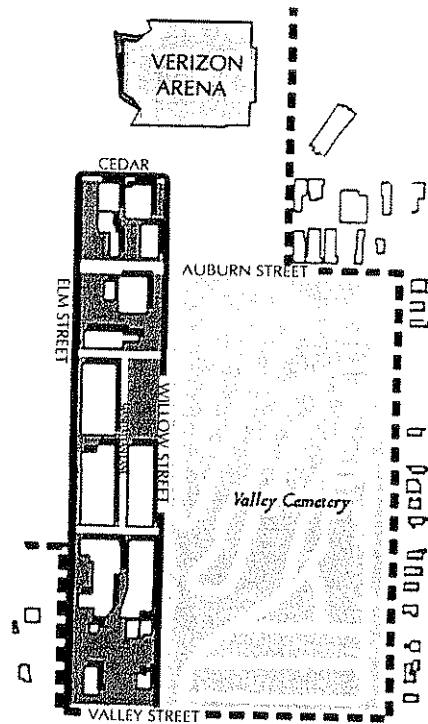
An elevation sketch of the former Boston & Maine Passenger Station.



An assemblage of the facades along Old Granite Street digitally renovated.



A vision of nightlife activity on Manhattan Lane by Sheerr, McCrystal, Palson Architecture, Inc..

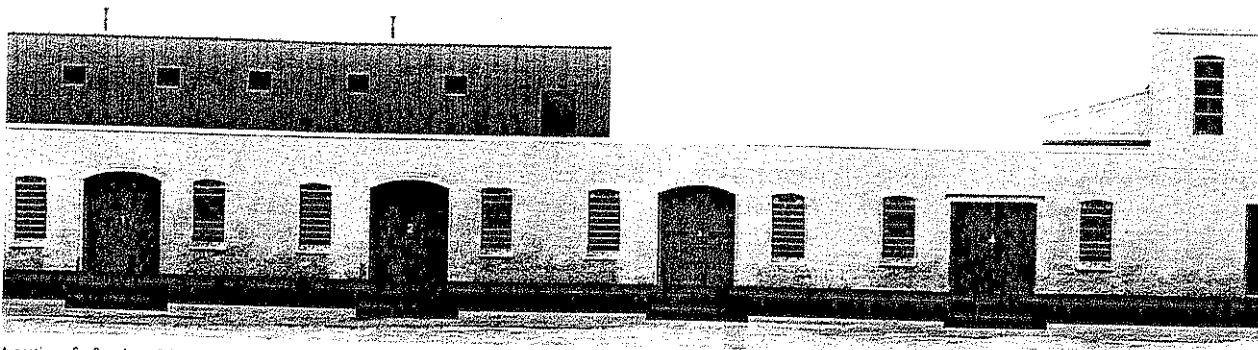


The Warehouse District

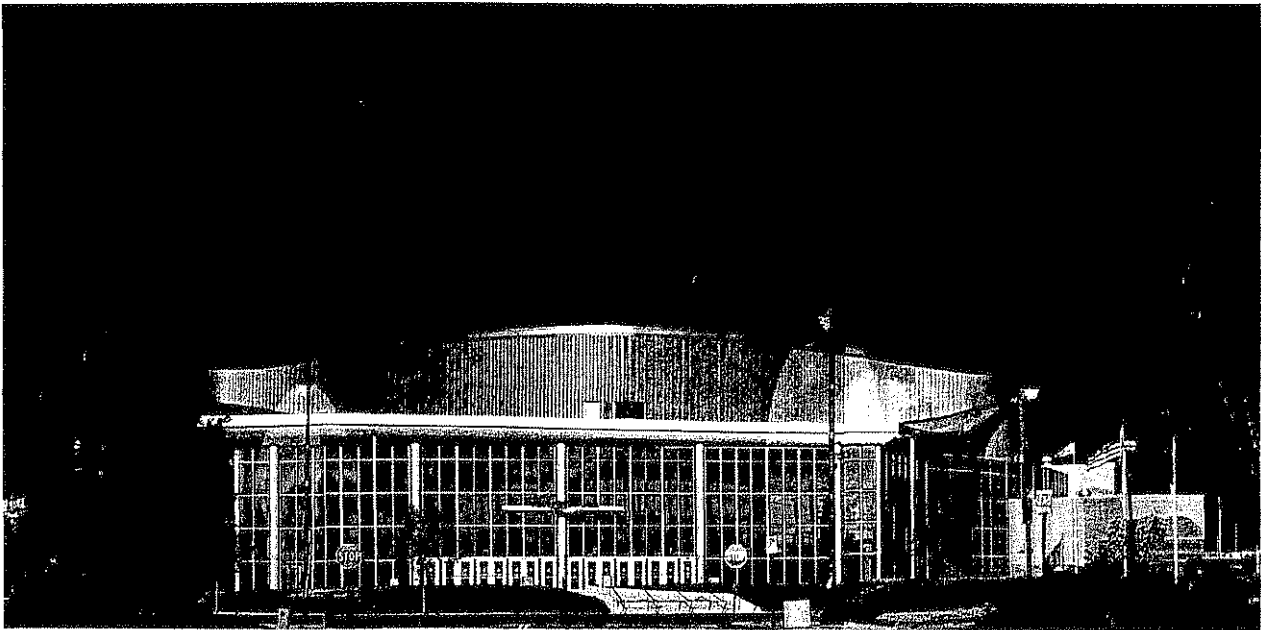
Turn-of-the-century warehouses with Elm Street frontage and elevated rear loading platforms along Manhattan Lane make the Warehouse District site architecturally unique. This neighborhood is destined to become an exciting place to live and shop, and a hot spot for dining and nightlife due to its immediate vicinity to the Arena, its proximity to downtown and the popular South Willow Street shopping corridor.

Valley Cemetery

Lying serenely along Willow Street, the District's eastern border, are 19.7 acres that trace 162 years of Manchester's history. A 'Rural Cemetery' style landscape, it features dramatic topography, magnificent old trees, and high style architecture. The Cemetery recently obtained state historic registry status, and is currently undergoing historic preservation. It is destined to become a popular green space for passive recreation and will provide valuable amenity to neighborhood businesses, residences and visitors.



A section of a facade on Manhattan Lane somewhat digitally restored to its original appearance with an expanded platform and steps.



A twilight view from Old Granite Street of the Verizon Wireless Arena, designed by Lavalle Brensinger Architects, Inc.

The Arena District Design Guidelines

The design guidelines described herein are intended to communicate the design intent for future development within the Arena District. They are also intended to be used for reference in evaluating designs for proposed residential and commercial properties. The overall goal of these guidelines is to ensure a cohesive approach to quality development that employs sound planning and design principles.

The guidelines are meant to be flexible, in order to encourage developers, property owners, property lessees, builders, designers and artists to propose innovative designs. For this reason the guidelines are qualitative statements rather than quantitative standards. Quantitative approval criteria has been avoided to allow for a unique approach to meet the overall intent and objective of each of the guidelines. All persons involved in design development within the Arena District are urged to consider the graphic images presented in this document as representative examples rather than final design solutions.

These design guidelines promote approaches that retain the distinctive character of the three neighborhoods within the Arena District. They encourage sensitive modification to existing buildings and the development of compatible designs for new construction that complement the overall experience of the Civic Center Area. The objective of these guidelines is to encourage the vitality and economic growth of the area by enhancing its physical appearance and image so that the District becomes a more desirable place to live, work, and visit. The process of design review helps ensure that new development, redevelopment, and remodeling takes place within a framework that promotes the visual integrity, identity and experience of the Arena Area District.

The Guidelines are organized numerically and presented in subtitled sections for easy reference. Each section begins with an introductory statement and is followed by the corresponding guidelines. Both the Endnotes and Sources chapters that follow the Guidelines provide additional resources. The appendix sections contain a glossary of terms, a copy of the arena district zoning overlay, and an application for the design review process.

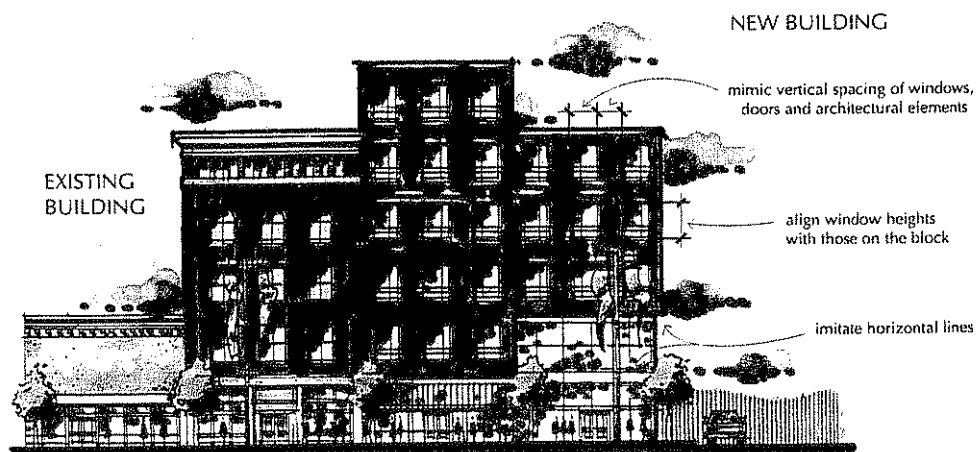
The process of design review begins with an application submitted to the Department of Planning and Community Development. The department will then have thirty (30) days to review the application and make recommendations to the Building Department.

Streetscape, Circulation & Access

The vitality of mixed-use neighborhoods is self-evident on its streets. The ambience provided by the physical characteristics, human scale and available amenities encourage residents to walk rather than drive, and invite visitors to explore, shop and use recreational facilities. An attractive, cohesively designed streetscape on a particular block creates more draw than the most well-designed, single storefront. Architecture, paving, landscape plantings, signage, lighting, and art clearly define and unify the public right-of-way and impart a distinct character to an urban area. Street furnishings add variety and identity to a particular theme, creating an unmistakable sense of place.

GENERAL

1. Create attractive, engaging and accommodating street corridors for pedestrians by providing generous storefront windows, highlighted entrances, overhead canopies, distant views, well-designed signage and ample site amenities.
2. Provide continuous pedestrian corridors throughout each block, neighborhood and District which interconnect and relate to adjacent neighborhoods and other site features.
3. Design and locate structures and on-site circulation systems appropriately in order to minimize conflicts between pedestrians and vehicles.
4. Reinforce and maintain the line of the storefront at the sidewalk edge. Infill development along streets should strengthen the relationship between structures and street, and create harmony within the site.
5. Orient the primary entrances of singular, freestanding commercial, residential and service-oriented structures toward the street where access is provided in order to achieve as much activity as possible along storefronts.
6. Maintain the existing height to width proportion of the street and mimic the established horizontal and vertical lines of the facades on the block. Align window heights of new structures with those of existing buildings.



7. Add diversity and visual interest to facades, shadows, and skylines by providing decorative roof and canopy elements, variations in structure heights, and effective lighting designs.
8. Preserve, restore and accent architectural elements and site details that reinforce the character of each neighborhood and build upon the City's historical stature.

9. Where appropriate, incorporate landscape elements to highlight, complement or provide transition for existing structures and architectural elements.
10. Provide continuity within the overall site and outlying areas. Avoid partitioning a site with high walls, fences, parking lots or other features that result in separating development from the neighborhood. Blend commercial development into the neighborhood.
11. Create attractive, well-designed paths of movement with coordinated systems of landscape design that relate to the character of each neighborhood and complement existing green spaces, adjacent neighborhoods, and outlying areas.
12. Provide continuity and establish design rhythm through the use of building materials, architectural details and plantings. See the photographs at the top of page 15.

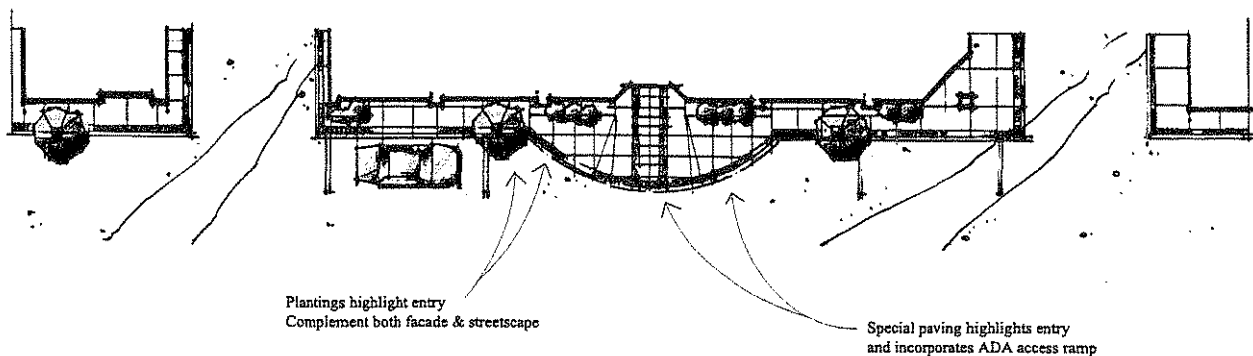


A streetscape vision for Old Granite Street by Randy Knowles, Knowles Design.

SIDEWALKS & MATERIALS

13. Promote pedestrian travel as a safe and comfortable alternative to vehicular travel by providing sidewalks of adequate width. A ten (10') foot wide corridor within a sidewalk width is considered standard to serve pedestrian needs.
14. Consider safety, durability and maintenance throughout the seasons when selecting materials for sidewalks.
15. Use detail and material variation in the pedestrian 'floor plane' to add interest to sidewalks, and to highlight entries, curb cuts and crosswalks.
16. Emphasize special use areas, such as courtyards, plazas, building entries and café seating areas with distinct paving materials.

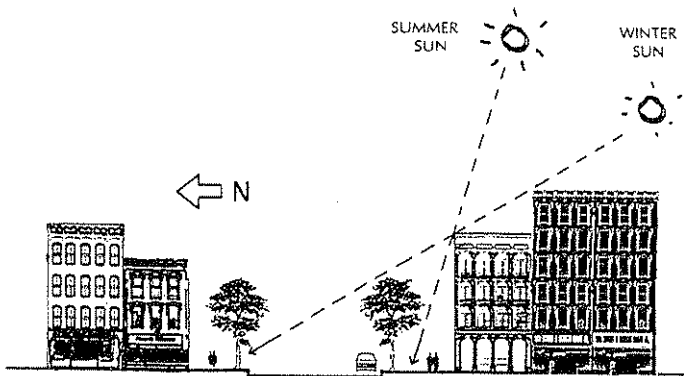
PLAN VIEW OF A STREET



PEDESTRIAN ACTIVE USE REQUIREMENT

17. Pedestrian access to and from adjacent residential and commercial developments is required. Adjacent developments are encouraged to link parking lots, parking structures, pedestrian corridors and access ways in order to encourage combined shopping trips, pedestrian activity and reduce the number of driveways.

Streetscape, Circulation & Access cont.



LOCATION & DESIGN OF UTILITIES

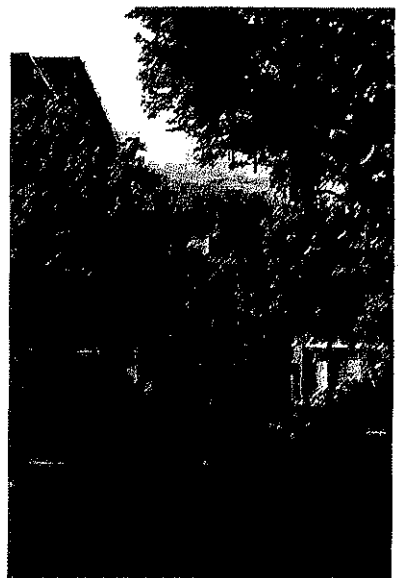
18. Place all utilities underground, including those on overhead service poles, to eliminate visual clutter and create a more attractive and safe pedestrian environment. (See also p. 30)

SUNLIGHT

19. All development within the Arena District should allow generous sunlight access for existing and newly developed residential structures and pedestrian areas, including parks, sidewalks and courtyard spaces.

ADA ACCESS

20. Integrate ADA access into the design of the site and architecture, as opposed to such access appearing as an add-on feature. Access should be non-discriminatory by providing passage at the main entry or that entry that is closest to ADA parking spaces.



Before and after illustrations of Manhattan Lane looking toward Veterans Park showing how buried and relocated utility elements in combination with attractive human scale design greatly enhance the pedestrian environment. See also page 24.



Various ADA accessible ramps integrated into different architectural situations. Three ramps situated differently beside steps; one ramp serving as the sole access to a courtyard.

PARKING LOTS AND GARAGES

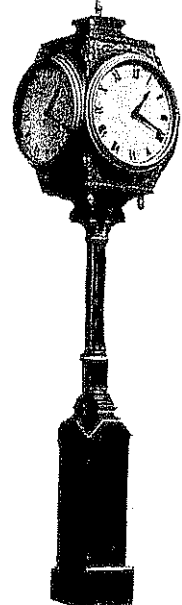
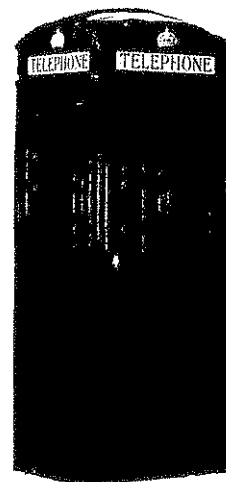
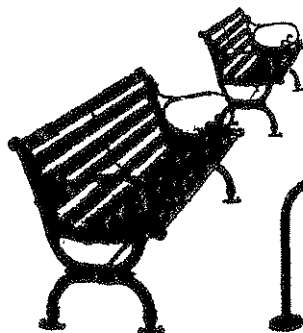
21. Orient garage doors away from the street. Whenever possible locate them at the rear of the lot where access can be provided by alleys.
22. Share parking between adjacent properties whenever practical to minimize the amount of paved surface area.
23. Separate parking areas from structures with elevated, paved pedestrian walkways. Screen and/or buffer such areas with substantial landscape plantings around the perimeter and interior in order to minimize the visual intrusion of such areas into the streetscape. Shield vehicles from pedestrian and residential view.
24. Break up high density parking areas with elevated areas of landscape plantings. Avoid large, monotonous areas of pavement.



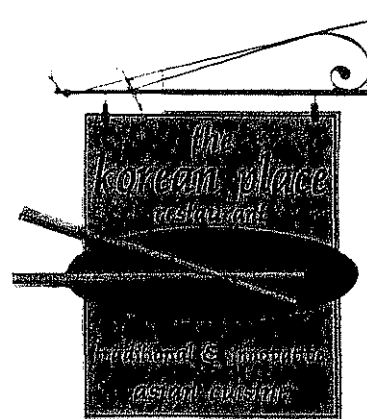
Citizen's Bank parking garage is an excellent example of a well-designed parking facility. The structure, lighting, landscape and access actually add interest to the streetscape.

STREET FURNITURE AND SITE AMENITIES

25. Provide energy and character to the streetscape and amenities to residents and visitors by incorporating seating along sidewalks and developing sidewalk cafes. Furniture should be located so as to complement the pedestrian corridor and not interfere or obstruct it.
26. Locate trash receptacles in convenient areas toward street corners and close to retail establishments that may generate the disposal of waste. They should be placed in areas where odor will not permeate pedestrian areas.
27. Use bollards, railings or plantings to create and define outdoor rooms and larger pedestrian zones.
28. Newspaper vending boxes should be located along the sidewalk's street edge and have an orderly and unified appearance.
29. Drinking fountains, directories, clocks, interpretive installations, public telephones, and multimodal parking elements can be incorporated in the streetscape design to provide additional amenities to residents and visitors.



Signage



An unknown UPI photographer's shot of the Pandora sign and a banner sign attached to an Amoskeag street light.

The character and placement of the signs create and reinforce a sense of place. Well- designed signage provides effective orientation, succinct information and clear direction in a consistent format to allow people to move through and around a place without confusion or delay. Signage designed collectively to fit the character of a neighborhood or block establishes a positive, uniform image and unifies a theme. Simplicity and quality are the key design objectives. A precise design concept for signage should accompany all development proposals within the Arena District.

GENERAL

30. Develop a hierarchy of signage, consistent in presentation information to guide vehicular traffic and pedestrians to their destinations.

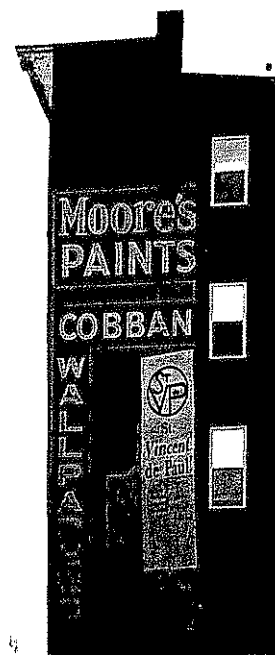
31. Provide an effective level of identification, information, and direction, in order to minimize the proliferation of signs.

PLACEMENT, SCALE & LEGIBILITY

32. Provisions for sign placement, sign scale in relationship with the building and site, and sign readability from primary viewpoints and all transportation methods should be considered. Larger and higher signs should be targeted for vehicular traffic and smaller, lower, more 'human scale' signs for pedestrian corridors.

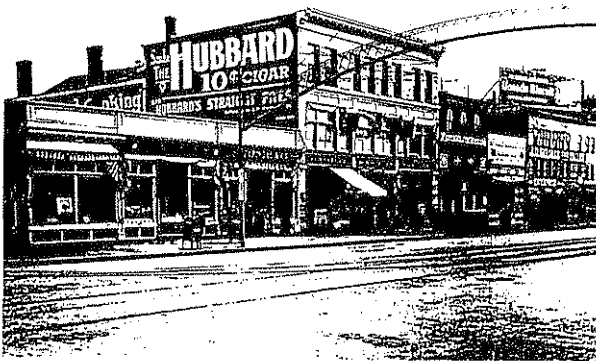
33. Integrate signs with the architectural style and landscape of the area where they will be located. Size, shape, height, and proportion should be compatible with the size and scale of the surrounding site. The best signage is a natural component of the building and site.

34. Avoid a large number of signs in a single area to eliminate clutter to the streetscape and view corridors. Signage should not compete with or obscure other features of the site.



35. Joint identification signage is encouraged. The number of free standing signs should be limited to one for each storefront. Such signs should not interfere, block, or create hazards in the pedestrian right-of-way.

36. Ensure readability through the effective use of graphics and typography. Limit the number of lettering styles, colors, and amount of information on signs in order to promote legibility.



An old Elm Street photo courtesy of Manchester Historical Society and examples of joint identification signage on the Opera Block and at the Palace Theatre.

37. Install signs in locations that maximize the use of existing lighting. Light sources specific to signage should be of minimal levels required for sufficient illumination and be directed, shielded or otherwise controlled to minimize glare and reduce light pollution. Internally lit, plastic box type signs are discouraged unless they are distinctive in design and enhance the character of the area.

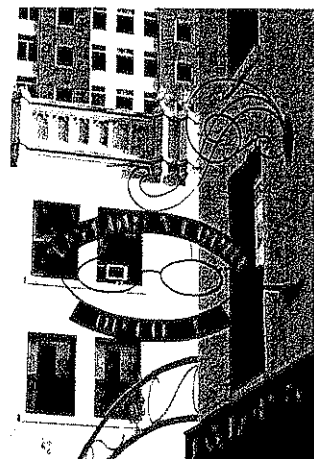
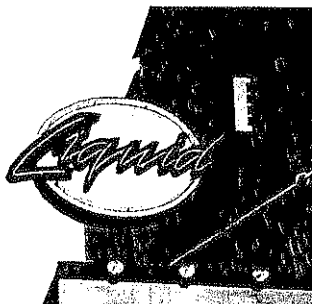
MATERIALS

38. The use of wood and metal materials for signs on appropriate buildings is encouraged for consistent character throughout the District and for continuity to adjacent Districts.

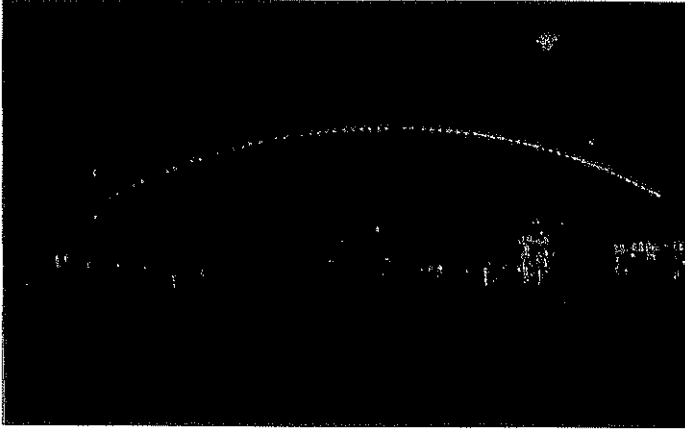
39. The use of well-designed neon and fiber optic signage should be strictly limited to locations where these such signs are appropriate to the building's architecture and site. Interior lit signs are discouraged.

40. Design signs so that minimal maintenance is required.

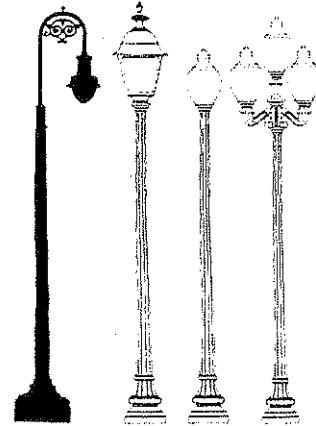
41. The preservation of historic signs is encouraged.



Lighting



An old John B. Varick postcard of the electric arches that once adorned Elm Street.



In addition to providing safety and security to the streets at night, lighting style, placement, height and intensity have a significant impact on defining the character and scale of the neighborhood streetscape. All lighting should serve the overall design intent of the Arena District and the distinctive style of the neighborhoods within and around it. Lighting should effectively and comfortably guide both pedestrians and vehicles through the site to particular destinations. Designers should additionally refer to the lighting provisions as set forth in the City's Site Plan Regulations.

LIGHTING PLACEMENT AND DIRECTION

42. Aim all building or pole mounted street lights directly downward in order to minimize urban light pollution. Flood or spot lights intended to light signage, landscape features, and facades shall be aimed only at those features and of the least amount of foot candles necessary to be effective.

43. Minimize the impact of all building, street and parking lot lighting on adjacent residential areas by using designs that direct the path of light downward or away from residential windows. Use bulb varieties that produce a softer glow with only the minimum number of foot candles required.

44. The design and structure of light fixtures should be architecturally compatible with the building's and site's architectural style. Integrate illuminators into the architecture of buildings to draw attention to or accent features of the building. Avoid creating hot spots of light in the overall streetscape.

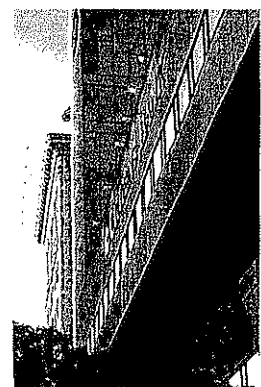
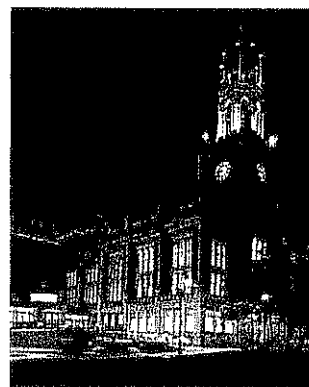
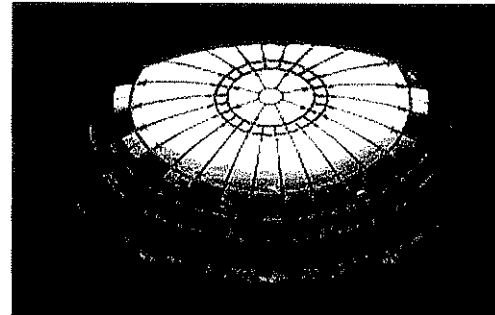
45. Coordinate different types of exterior and interior lighting in order to produce a layered texture of light throughout the streetscape at night.

LIGHT POLES, LUMINARIES AND BASES

46. The height of lighting should be compatible with its use. In general, lighting in pedestrian areas should be lower in height and of human scale.

47. The use of decorative fixtures in pedestrian areas is strongly encouraged in order to enhance the character of the streetscape and neighborhood.

48. The use of neon and fiber optic lighting is encouraged.



Well-designed interior and exterior lighting. City Hall photo by Rixon Corporate and Advertising Photography

Art



The United Way mural on Mechanic Street. Richard Recchia's sculpture of John Stark in Stark Park.



Art is an essential component of the human experience. Art within public settings should be approachable, memorable, and reinforce the character of the neighborhood or site in which it is placed. All art in public locations should be able to be appreciated throughout the seasons.

ART THEMES

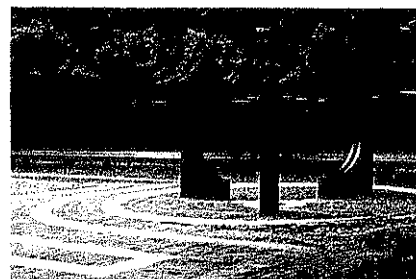
49. Public art in the Arena District should be engaging and provocative. Art should be diverse and inclusive.

PLACEMENT

50. Site art so that it complements, enhances and engages its surroundings. Consider content and scale. Artwork should be appropriate to its location and invite pedestrians to experience it. Place art to serve a purpose, create a focal point, define and shape a space, or terminate a vista.

51. Place sculpture and other free standing forms of art in areas where it will not interfere or compete with storefronts, obstruct pedestrian corridors, create a traffic hazard, or compete with other art.

52. Enliven otherwise blank walls with murals. Murals blend well into downtown locations, adding interest, texture and color to the streetscape.



CONSTRUCTION & MATERIALS

53. The structural integrity of supports, joints, attachments to the ground, and footings located beneath the local frost line are critical safety considerations for public art pieces. These construction details must be structurally sound and aesthetically pleasing.

54. Use durable materials that are able to withstand local weather conditions, including severe winters, freeze/thaw cycles, exposure to high winds, ice, salt and other various forms of urban pollution. Consider the potential for vandalism. Fragile or irreparable components are strongly discouraged as well as designs that encourage defacement.

LIGHTING

55. Consider viewing angles, spotlighting, shadows, security and safety when illuminating public art.

MAINTENANCE

56. Calculate long term maintenance costs. Provide specifications, a schedule and budget for the maintenance of each piece of artwork.



Water sculpture in Citizen's Bank's courtyard and Antoinette Schultze's sculpture of The Mill Girl.

Landscape Design

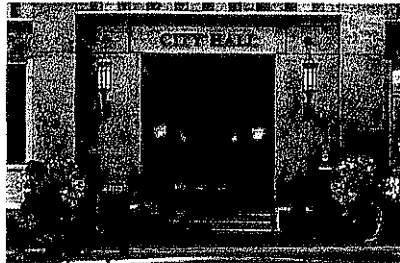
Well designed landscape plantings establish human scale and enhance the character and pedestrian experience of neighborhoods. Planted areas offer amenities to residents, visitors and businesses. Landscape elements also function to provide transition between different architectural styles and between developed and more natural open spaces. Plantings can buffer or screen different or incompatible land uses and activities. As integral components of the site, they define gateways and corridors throughout the block, the neighborhood, and collectively throughout a district as a connected whole.

GENERAL

57. Utilize landscape elements to reinforce site design strategies by enhancing approaches, arrivals and entry points, and exits from a site.
58. Integrate plantings with architectural and hardscape components to define entrances to buildings and neighborhoods, circulation paths, and edges of different land use and open-space.
59. Locate plantings to define the pedestrian corridor and frame street view corridors.
60. Enhance the character and continuity of the streetscape by using mature vegetation. Street trees and other plant material should be large enough at the time of planting to provide immediate, substantial greenery and shade to the site. Street trees must be a minimum of 3 inches in caliper.
61. Provide contiguous landscaped areas that accommodate or allow for a variety of active and passive recreational activities.
62. Adjacent landscaped areas should exhibit continuity of character. Balance plantings with canopy, understory, and groundcover plants where appropriate.



The mature landscape plantings along a pedestrian path at the Arena, container plantings for City Hall, and vertically aligned street trees and lighting on Market St.



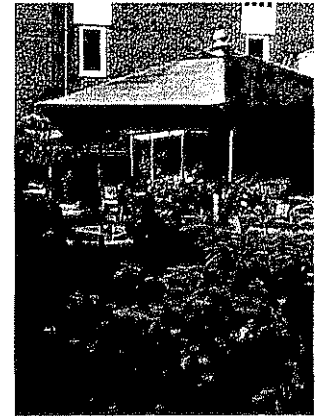
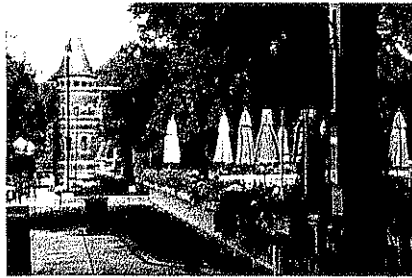
63. Use perennial and annual plantings around the base and entrances of buildings to enhance the appearance of structures and soften views of paved areas.
64. Incorporate sidewalks, planting strips and street trees into the site plans of all new residential development.

STREET TREES & THE TREE LAWN AREA

65. Place street trees so that their trunks create a vertical line along the street even when sidewalk widths and distance between building and curb vary.
66. Relate tree locations to the architecture of buildings, block patterns, curb cuts and building entries to make the streetscape appear more orderly.
67. Tree spacing depends upon existing site conditions as well as the intent of the site's design. A spacing of 30-40 feet is considered standard for most species; however, reduced spacing may be appropriate where site conditions and/or species warrant. For view safety, trees should not be planted closer than 30 feet from the projected intersections of street corners.
68. Street trees in tree lawn areas should be of like character, spacing, and alignment and have irrigation approved by the City Forester. Berms are not compatible with tree lawn areas.

SCREEN & BUFFER PLANTINGS

69. Employ buffers and screens such as berms, masonry walls, fences, and vegetation to screen parking, and other vehicular areas from pedestrian areas, or to separate areas of monotonous pavement or incompatible land use. Plantings should not obstruct visibility at drive aisle intersections.



Various forms of buffers and screens function to esthetically separate areas of different or incompatible land use. A parking lot with perimeter and interior plantings; a courtyard dining terrace with fencing, annuals and shrub plantings defining the 'walls' of the room; another dining terrace employing a hedge of the shrub in the foreground to buffer an adjacent parking lot.

MATERIAL SELECTION

70. All plant species and cultivars should be suitable to climate, soil type, and site environment. All street tree plantings must meet the approval of the City Forester.

71. Tree selection should consider mature height, mature diameter of crown, distance from crown to the ground, and have multi-season interest. Species should be single-trunked, upright, produce a minimal amount of fruit and seeds, and have a medium to long life expectancy. Tree species planted adjacent to paved areas should be deep rooted to prevent paving damage.

72. Consider tolerance to salt, snow removal and storage, other forms of urban pollution, as well as automobile and pedestrian damage.

73. Attempt to provide a diversity of species as well as both evergreen and deciduous plants. Use native plants or their cultivars whenever possible to enhance a regional 'sense of place'. Plant material on regional invasive species lists should not be used.

PROTECTION OF VEGETATION

74. Existing healthy plantings should be preserved during construction to the greatest extent practical. Additionally protect healthy plantings by removing damaged, diseased or decaying plant material as soon as such problems develop.

75. Street trees and other plant material should be protected from vehicular and pedestrian encroachment by tree grates and sleeves, raised plantings surfaces, depressed walks, and/or the use of curbs.

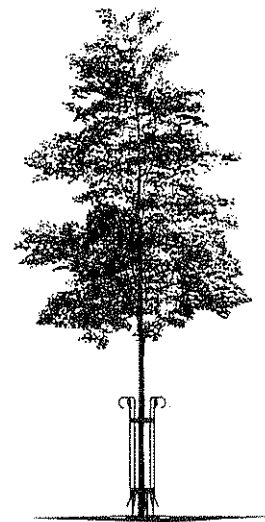
WATER CONSERVATION & IRRIGATION

76. Employ planting and irrigation techniques that yield water conservation by way of species selection and effective irrigation design.

MAINTENANCE

77. Employ plantings that require minimal maintenance throughout the seasons.

78. Take care to not disturb or overly control the natural habits of plantings. The pruning and maintenance of landscaped areas should not exceed practical limits.



Protective tree sleeve & grate.

Architectural Design

Buildings should exhibit urban character with quality architecture that reinforces the urban disposition of the Arena District. They should be inviting places that interact with the life of the street. Storefronts of all buildings should be clearly articulated with forms and details of the highest quality materials. Street level features for pedestrians should be incorporated to add richness to the streetscape experience.

GENERAL

79. Site structures in such a manner that they will complement adjacent buildings. Sites should be developed in a coordinated manner to provide order and diversity.

80. Provide human scale and interest along street corridors with engaging storefront windows, covered walkways, and high-lighted entrances.

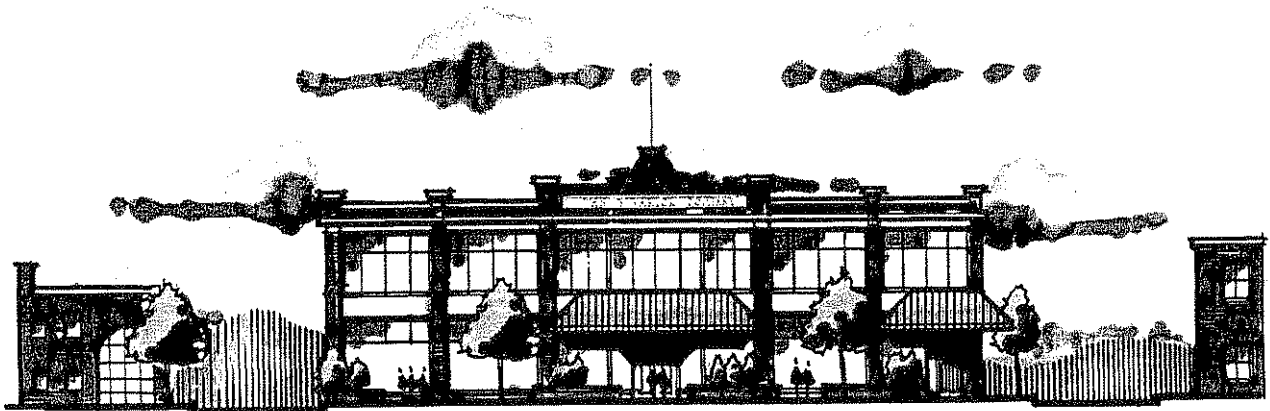
BUILDING SCALE, PROPORTION, & MASSING

81. The scale, proportions, massing, and articulation of the structure's design should enhance the pedestrian experience.

82. Structures should be designed to human scale, be reflective of traditional neighborhoods, and compatible with surrounding development, so as not to overwhelm or dominate the surrounding site and culture. The architecture should create harmony and unify the streetscape.

83. New buildings should maintain the established horizontal and vertical lines of facades on the block. Additionally they should reinforce and provide alignment to existing building heights. See graphic for Guideline 7.

84. Roof lines should be representative of the structure's design and scale and relate to the surrounding architecture. Decorative roof elements and variations in roof height are encouraged to add visual interest and variety to the urban composition.



A modernized storefront of the Varick Building showing generous storefront windows, decorative roof elements, complementary trim and canopy elements, and effective landscape plantings.

FACADE

85. Create variety and interest by designing of structures of variation in form with articulated facades. Avoid leaving blank walls that lead to an undesirable, monotonous streetscape.

86. Provide detail to facades to reduce the perception of bulk and to reflect the traditional rhythm of the streetscape. Large dominating structures should be visually broken up through the use of trim, awnings, eaves, windows, architectural ornamentation, complementary colors, and landscape plantings.

87. Treat residential structures with the same level of formality afforded to a single family home. The facades of multifamily structures should be broken up to give the appearance of a collection of smaller structures. This articulation can be accomplished with the use of balconies, setbacks and projections. To the extent possible, each unit of a multifamily structure should be individually identifiable.



An example of individually distinct architecture for multifamily structures.

88. Minimize the visual impact of garage entries and doors. Garages should never visually dominate the building, block, or façade of any residential structure.

BUILDING MATERIALS

89. Maintain the continuity and rhythm of architectural details with quality building materials of complimentary textures to those established in the Arena District.

90. The use of brick and stone as primary materials, particularly on exterior walls, is encouraged. The use of EIFS (Dryvit, Sto, etc.) and similar materials is acceptable, particularly for building accents. Materials used in combination should be consistently applied and should be chosen to work harmoniously with adjacent materials.

91. The color palette chosen for new structures should be compatible with color of adjacent structures and those established in the area.

SCREENING

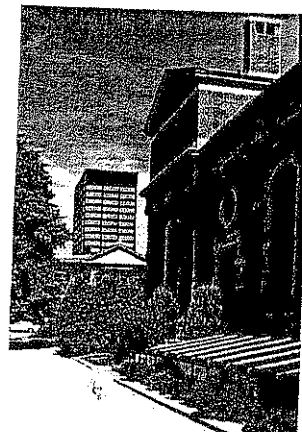
92. Integrate all cooling towers, mechanical equipment or appurtenances, vent intakes, stacks, and other rooftop structures into the building's design to screen them from view.

93. Locate dumpsters, recycling vessels, and mechanical equipment away from the street front. Screen trash enclosures, utility boxes, meters, utility pedestals and loading/service areas from adjacent properties, public right of ways, parking areas and pedestrian walkways.

94. Exterior storage, when allowed, should be architecturally integrated to the site and confined to portions of the site least visible to public view. Additional screening may be required.



Evergreen hedge and a wooden fence esthetically screen mechanical equipment.



Appendix A

Description of Terms

Berm: A mound of soil, either natural or man-made.

Building facade: The front or face of a building that is toward the street.

Curb cut: An interrupted area in the pavement that provides pedestrian and/or vehicular access, entry or exit.

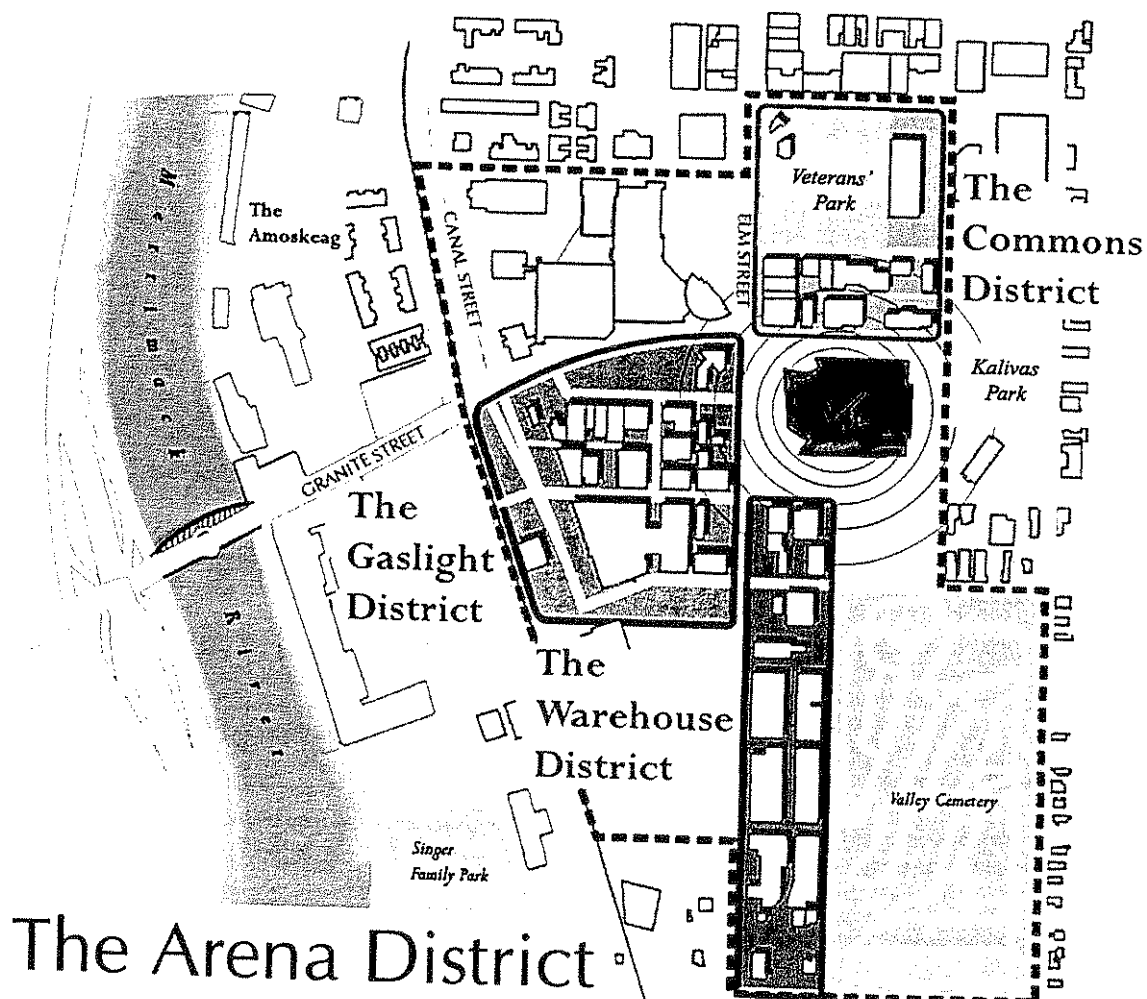
Mixed-use site: Area zoned for a combination of compatible commercial, office and residential development. The terminology and concept is taken from a town center where jobs, goods, and services are supplied within walking distance.

Setback: The distance between the street right-of-way line and the permitted building line of a structure.

Tree caliper: The diameter of a tree trunk measured in inches. Measurement is taken six inches above the ground for trees up to 4 inches in caliper, and 12 inches for trees over 4 inches in caliper.

Tree lawn: The area, usually along a sidewalk, between the pedestrian walking area and street side curb edge.

View corridor: A distant view seen through an opening between buildings, trees and landforms as viewed from a street or sidewalk.



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Appendix B

Arena District Zoning Overlay

Amending the Zoning Ordinance of the City of Manchester by adding a new Arena Overlay Zoning District to the Zoning Maps in the vicinity of the Verizon Wireless Arena.

Section 1. Amend Article 4 Establishment of Zoning Districts and Zoning Map, by adding a new section to 4.01 Establishment and Purpose of Districts, B. Overlay Districts as follows:

8. Arena Overlay District. This purpose of this overlay district is to develop an area that is compatible with and complementary to the Civic Center. This can be accomplished by: creating an area that is pedestrian oriented; discouraging auto intensive uses; promoting a higher quality of design including signage; and ensuring compatible land uses. Land uses which are encouraged include: restaurants, retail shops, entertainment, hotels, personal services and housing. By following the overlay guidelines, the City will insure a maximum economic spinoff from the Civic Center and provide an enriching urban experience for the City.

Section 2. Amend Article 5 by adding a new Use category under Section 5.10 Table of Principal Uses as follows: "D.7 Small scale assembly, fabrication and craftsmen businesses with no outside storage or machinery" permitted (P) in IND, RDV and AMX and in the Arena Overlay (Section 7.09A)

Section 3. Amend Article 5 by adding a new Use category under Section 5.10 Table of Principal Uses as follows: "D.8 Artisans Lofts including living and working facilities in the same unit for craftsmen and artisans" permitted (P) in AMX and in the Arena Overlay (Section 7.09A).

Section 4. Amend Article 7 Special District-Wide Regulations, by adding a new section 7.09 to read as follows:

"7.09 Arena Overlay District

A. *Special Uses Allowed in the Arena District*

Within the Arena Overlay District, the following uses shall be permitted as follows, notwithstanding the allowed uses in the underlying zoning district in Section 5.08, Table of Use Regulations.

A.2	Single Family attached (townhouse) dwellings	CU
A.6	Multi-family dwellings	P
A.9	Boarding or Rooming House	CU
D.4	Wholesale bakery or food processing plant	CU
D.7	Small scale assembly, fabrication and craftsmen	P
D.8	Artisans Lofts	P
E.2	Limousine or taxi service (garage)	Not permitted
E.8	Telecommunications Antennas (on existing structures)	CU
E.10	Telephone, telecommunication & cable service operations and maintenance facilities	CU
F.2	Furniture and major appliance stores	CU
F.4	Convenience retail uses	CU
H-2.4	Medical and dental laboratories	P
H-3.2	Bed & Breakfast	P
H-4.8	Mini-golf	CU
H-6.11	Business equipment repair and maintenance	Not permitted
I.5	Automotive service station	Not permitted
I.6	Car washes and car care centers including muffler shops, oil change, auto detailing and similar services	Not permitted

B. *Special Setback Requirements*

Buildings shall be placed at the edge of the Right-of-way where they abut a street. Setbacks may be provided to allow for outdoor restaurant seating, pedestrian plazas and similar areas, subject to approval by the Arena Overlay Design Review Committee but not including parking.

C. *Special Sign Requirements*

Signs shall be regulated in accordance with the provisions of Section 9.09.

D. Special Parking Requirements

Parking is limited in accordance with the provisions of Section 10.07.

E. Design Review

The Department of Planning and Community Development shall be responsible for design review of projects within the overlay. The types of permits to be reviewed, the process and time period for action shall be the same as for the Millyard Design Review Committee under subsection 7.01 (D). The establishment of the design review district will enhance the character of the area and promote tourism and economic development in the City.

The Planning and Community Development Department shall develop and adopt design guidelines for the area. The design guidelines and the special design requirements shall include but not be limited to the following requirements which are intended to preserve and enhance the special character of the city by encouraging rehabilitation and new construction that is sensitive to the existing urban form.

Special Design Requirements:

1. Building facades along sidewalks shall include doors and windows in order to encourage pedestrian flows. No more than 20 feet of blank walls shall be allowed in these areas.
2. Primary entrance shall be fronting the street sidewalk
3. Buildings should be a minimum of 20 feet height
4. Window system should not exceed 25 feet in width without being interrupted by another building material
5. Vinyl siding products prohibited
6. Pedestrian circulation throughout the district shall be improved as development or redevelopment occurs, in accordance with general design principles and objectives of safety, comfort, ease of movement, and convenience of access to properties.

Section 5. Amend Article 10 Off Street Parking and Loading Requirements, by adding a new sub-section 10.07 (I) and renumbering the existing sub-section I to "J":

- I) Parking Limitations in the Arena Overlay. Such limitations may be waived as a Conditional use permit by the Planning Board if developed as part of a redevelopment plan approved by the City.
 - 1) Surface parking shall not be allowed in the front yard of any building. Except in cases where section 10.7 (H) applies, parking within the side yard may be permitted by a Conditional Use by the Planning Board where such parking does not disrupt pedestrian traffic flows or create long blank sections between buildings. In such cases, the parking areas shall be separated from pedestrian sidewalks by a wrought iron fence and landscaping.
 - 2) No new surface parking shall be allowed within 200 feet of Elm Street.
 - 3) Parking decks located at street level shall have no less than seventy-five percent (75%) of the lineal street frontage devoted to office or non-parking commercial uses at a minimum depth of twenty (20) feet along the following streets: Elm Street, Old Granite Street, Lake Avenue, Willow Street, Central Street, West Depot Street and Franklin Street.
 - 4) The exterior facade of parking structures shall be covered with architectural cladding that utilizes materials, colors, and a pattern of openings consistent with nearby significant building facades.

Section 6. Amend Article 9 Sign Regulations, by adding a new sub-section 9.09 (C) as follows:

C. Sign Regulations in the Arena Overlay.

1. Signs shall only be permitted which advertise goods, services or products manufactured or offered for sale on the premises or otherwise related to the use of the premises.
2. Signs shall not cover windows.

Appendix B

Arena District Zoning Overlay continued

3. Signs inside of windows and visible from the street shall be included in the area and number calculations of signs for the building.
4. Roof signs shall be limited to neon or individually lit channel letters and shall be limited to a maximum 100 square feet.

Section 7. Amending the Zoning Ordinance of the City of Manchester by adding a new Arena Overlay Zoning District to the Zoning Maps in the vicinity of the Verizon Wireless Arena, more specifically bounded and described as follows:

Beginning at a point at the intersection of Elm Street and Merrimack Street;

Thence, southerly along the centerline of Elm Street a distance of approximately 240 feet to the centerline of Pleasant Street;

Thence, westerly along the centerline of Pleasant Street a distance of approximately 1130 feet to the centerline of the B&M rail line – so-called;

Thence, southerly along the centerline of the B&M rail line – so-called - a distance of approximately 2415 feet to its intersection with the so-called Lawrence Branch of the B&M rail line;

Thence, southerly along the centerline of the so-called Lawrence Branch of the B&M rail line a distance of approximately 460 feet;

Thence, easterly along the centerline of Valley Street as extended westerly and along Valley Street to the centerline of Willow Street a distance of approximately 600 feet;

Thence, northerly along the centerline of Willow Street a distance of approximately 1,350 feet to the centerline of Auburn Street;

Thence easterly along the centerline of Auburn Street a distance of approximately 350 feet to the centerline of Chestnut Street;

Thence northerly along the centerline of Chestnut Street a distance of approximately 1,575 feet to the centerline of Merrimack Street;

Thence, westerly along the centerline of Merrimack Street a distance of approximately 640 feet to the centerline of Elm Street;

Said point also being the point of beginning.

Section 8. This amendment shall take effect upon passage. [Effective June 9, 2003]

Appendix C

Application See attached form. Please contact Planning Department to schedule or confirm your review date and time. The Planning Department telephone number 603-624-6450.

CASE NUMBER: MDRC ☐
ARENA ☐

(PLANNING DEPT USE ONLY)

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**CITY OF MANCHESTER PLANNING DEPARTMENT
APPLICATION FOR BUILDING PERMIT DESIGN REVIEW**

CHECK ALL APPLICABLE ITEMS BELOW		PLANNING DEPT USE ONLY	
<input type="checkbox"/>	CHANGES TO EXTERIOR OF BUILDING	DATE APPLICATION FILED WITH PLANNING DEPT	/ /
<input type="checkbox"/>	SITE WORK	DATE OF APPLICATION REVIEWED BY PLANNING DEPT	/ /
<input type="checkbox"/>	SIGNING	DATE OF APPLICATION FINDINGS MADE BY PLANNING DEPT	/ /
<input type="checkbox"/>	NEW CONSTRUCTION	DATE FINDINGS DELIVERED TO BUILDING DEPARTMENT	/ /
<input type="checkbox"/>	DEMOLITION	MISC 1	
<input type="checkbox"/>	OTHER	MISC 2	

PLEASE PRINT IN THIS SECTION

STREET NAME AND ADDRESS NUMBER OF INVOLVED PROPERTY:

TAX MAP

LOT No.

NAME OF PROPERTY OWNER(S)

PROPERTY OWNER MAILING ADDRESS

TELEPHONE No.

(APPLICANT NAME - IF OTHER THAN OWNER)

MAILING ADDRESS

TELEPHONE No.

NAME OF APPLICANT'S AGENT (IF OTHER THAN APPLICANT)

MAILING ADDRESS

TELEPHONE No.

1
2
APPLICANT E-MAIL ADDRESS (1, 2)

2
OTHER CONTACT INFO (1, 2)

DESCRIPTION OF BUILDING PERMIT PROPOSAL: (USE ADDITIONAL SPACE AS NECESSARY ON A SEPARATE, ATTACHED, DOCUMENT. INCLUDE SUFFICIENT DETAIL SO THAT ALL ELEMENTS OF THE PROPOSAL ARE DESCRIBED):

PRESENTATION MATERIALS (PLANNING DEPT USE ONLY):

SIGNATURE OF OWNER(S): 1		(STAFF USE ONLY) COPY TO: BUILDING DEPT	
2		PLANNING DEPT	
DATE: / /	MISC 3:	APPLICANT	
MISC 4:		MISC 5:	

PLEASE NOTE: IMPORTANT APPLICATION INFORMATION ON REAR SIDE OF THIS APPLICATION FORM

PLEASE NOTE:

FOR ALL DESIGN REVIEW APPLICATIONS:

1. UNDER THE ZONING ORDINANCE [SECTION 7.01(D)], THE FOLLOWING ACTIONS WITHIN THE ARENA AND THE AMX DISTRICTS ARE REQUIRED TO UNDERGO DESIGN REVIEW:
 1. MAJOR EXTERIOR REHABILITATION OR RESTORATION OF EXISTING BUILDINGS, EXCLUDING NORMAL MAINTENANCE, REPAIR OR IN-KIND REPLACEMENT OF MATERIALS OR COMPONENTS;
 2. CHANGES TO EXTERIOR SIGNAGE;
 3. ADDITIONS OR NEW FREE STANDING STRUCTURES.
2. PLEASE CONTACT THE PLANNING DEPARTMENT TO SCHEDULE OR CONFIRM YOUR REVIEW DATE AND TIME. THE PLANNING DEPARTMENT TELEPHONE NUMBER IS 603-624-6450.
3. BECAUSE THIS REVIEW IS A REQUIRED PART OF THE CITY OF MANCHESTER BUILDING PERMIT PROCESS FOR MOST OUTDOOR CONSTRUCTION PROJECTS IN THE ARENA OVERLAY AND AMX DISTRICTS A DESIGN REVIEW MEETING WILL NOT BE SCHEDULED UNTIL AFTER THE APPLICANT HAS:
 - ① APPLIED TO THE BUILDING DEPARTMENT FOR A BUILDING PERMIT TO DO THAT SAME WORK;
 - ② SUBMITTED THIS APPLICATION TO THE PLANNING DEPARTMENT FOR DESIGN REVIEW (NOTE: THIS IS A SEPARATE APPLICATION FORM FROM THE BUILDING PERMIT APPLICATION);
AND
 - ③ THE APPLICANT ENSURES THAT ONE OF THE FOLLOWING TWO CRITERIA IS SATISFIED:
 - ☐ THIS "APPLICATION FOR BUILDING PERMIT DESIGN REVIEW" IS SIGNED AND DATED BY THE PROPERTY OWNER(S), OR
 - ☐ THE APPLICATION IS ACCOMPANIED BY A WRITTEN STATEMENT FROM THE PROPERTY OWNER(S) CERTIFYING THAT THE APPLICANT/AGENT LISTED ON THE FRONT PAGE OF THIS APPLICATION IS THEIR REPRESENTATIVE. THIS STATEMENT MUST BE SIGNED AND DATED BY THE PROPERTY OWNER(S).

FOR ALL DESIGN REVIEW APPLICATIONS IN THE AMX DISTRICT (AKA: THE "AMOSKEAG MILLYARD HISTORIC DISTRICT"):

4. ALL EXTERIOR SIGNAGE APPLICANTS ARE ADVISED TO BECOME FAMILIAR WITH THE MDRC'S "MILLYARD SIGNAGE GUIDELINES" WHICH MAY, AT NO COST, BE ACQUIRED IN PERSON, BY FAX (603-624-6529) ATTN: MDRC TECH ASSIST, OR BY E-MAIL FROM THE CITY OF MANCHESTER PLANNING DEPARTMENT (ADDRESSED TO DBEAUCHE@CI.MANCHESTER.NH.US).

PLEASE NOTE:

5. ALL DEMOLITION ACTIONS REQUIRE A BUILDING PERMIT APPLICATION APPROVED BY THE CITY OF MANCHESTER HERITAGE COMMISSION.

ADDITIONAL SPACE FOR DESCRIPTION OF BUILDING PERMIT PROPOSAL

Sources

Blood, Grace Holtbrook, Manchester on the Merrimack. The Story of a City. Manchester: Cummings, 1948.

Clarke, John B. Manchester. A Brief Record of its Past and A Picture of its Present. Manchester, 1875.

City of Columbus, Department of Trade & Development, "The Warehouse District Plan, Downtown Development Initiative", July 2000. 27 July 2003 <http://www.columbusinfobase.org/elecilib/library/warehouse.pdf>.

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City of Columbus, Ohio, "Handbook for Private Development and Public Improvements in the Riverfront Corridor", 26 July 2003, <http://www.columbusinfobase.org/elecilib/library/riverfront%20guidelines.pdf>.

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City of Manchester, NH, Task Force on Housing, "Action Strategy for Housing", Summer 2002.

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City and County of Denver, Community and Development Agency, "Design Guidelines for Denver Gateway, Urban Design Standards and Guidelines", Summer 1999. 28 July 2003, <http://www.denvergov.org/admin/template3/forms/LoDo%20Design%20Guidelines%20051602.doc>.

City and County of Denver, "BluePrint Denver", Draft 12/28/01, 3 June 2003, http://www.denvergov.org/Land_Use_and_Transportation_Plan/Blueprint/Blueprint%20Denver/start_TOC.pdf.

City and County of Denver, Planning and Development Office and Design Workshop, Inc., "The Commons, Urban Design Standards and Guidelines", December 1997. 26 July 2003, <http://www.denvergov.com/admin/template3/forms/CommonsGuidelines.pdf>.

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Hanna, Karen C., CIS for Landscape Architects, Redlands: Environmental Systems Research Institute, Inc., 1999.

Harris, Charles W. and Dines, Nicholas T., Time-saver Standards for Landscape Architecture, New York: McGraw-Hill, 1998.

Howard, Cynthia, The Amoskeag Standards for Rehabilitation within the Amoskeag Corporation Housing Historic District, Manchester, NH. Cambridge, 1981.

Howard, Cynthia, & Associates, "The Amoskeag Catalogue, Sources of Supply for Modern Elements and Renovation Replacement Components Appropriate to Structures within the Amoskeag Corporation Housing Historic District." June 1981.

'Intown Manchester Development Plan', Place of publication unknown: Network Publications, Inc., Date unknown.

Lynch, Kevin. The Image of the City. Cambridge: The MIT Press, 1960.

Lynch, Kevin. Site Planning. Cambridge: The MIT Press, 1962.

Jacobs, Jane. The Death and Life of Great American Cities. New York: Vintage Books, 1992.

The New England Textile Mill Survey. Selections from the Historic American Building Survey, Number 11. Division of Historical Archeology and Historic preservation, National Park Service, US Department of Interior, Washington, D.C.: US Government Printing Office, 1971.

Paysage, "Valley Cemetery Preservation Master Plan", August 2002.

Perkins, David Lane, Manchester up to Date. Story of the City 1846 to 1896. Manchester: George F. Willey, 1896.

Thomas, Selma, ed., Rehabilitation. An Alternative for Historic Industrial Buildings, History of American English Record, Office of Archeology and Historic Preservation, Heritage Conservation and Recreation Service, Washington: US Department of Interior, 1978.

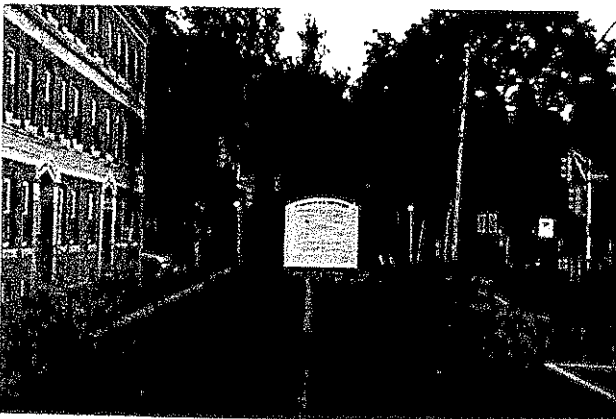
Ruell, David. "New Hampshire Public Sculpture." Unpublished manuscript, New Hampshire Museum of History Collection, dated 1980.

Semi-Centennial of the City of Manchester, compiled by Herbert W. Eastman. Manchester: John B. Clarke Company, 1897.

Simonds, John Ormsbee, Landscape Architecture, A Manual of Site Planning and Design, Third Edition, New York: McGraw Hill, 1997.

Stilgoe, John R. Outside Lies the Magic. Regaining History and Awareness in Everyday Places. New York: Walker & Co., 1999.

Thorp, L. Ashton, Manchester of Yesterday. A Human Interest Story of its Past. Manchester: Granite State Press, 1939.



Before and after illustrations of Chestnut Street showing partial restoration of the Valley Cemetery main entrance, realigned intersection, buried and relocated utilities, relocated and additional historic lighting, complimentary paved sidewalks and street tree plantings.

u

To the Board of Mayor and Aldermen of the City of Manchester:

The Committee on Community Improvement respectfully recommends, after due and careful consideration, that the Board authorize acceptance and expenditure of funds as follows:

- a) \$4,500 for FY2007 CIP 214007 Southern NH Area Health Education Center Program;
- b) \$5,539 for FY2007 CIP 410507 Justice Assistance Grant Program;
- c) \$1,000 for FY2007 CIP 510407 Fun In The Sun Program;
- d) \$30,000 for FY2007 CIP 511507 Bass Island-Blacksmith Shop Environmental Site Assessment Project; and
- e) \$44,269.42 for FY2007 CIP 610407 Housing Rehab/Lead Hazard Control Program; and

for such purpose resolutions and budget authorizations have been submitted.

(Unanimous vote)

Respectfully submitted,



Clerk of Committee

V

To the Board of Mayor and Aldermen of the City of Manchester:

The Committee on Community Improvement respectfully recommends, after due and careful consideration, that the Board authorize transfer and expenditure of funds in the amount of \$40,000 for the 2007 CIP 511407 Black Brook Dam Removal Engineering Project, subject to all funds being identified, and for such purpose resolutions and budget authorizations have been submitted.

(Unanimous vote)

Respectfully submitted,



Clerk of Committee

W

To the Board of Mayor and Aldermen of the City of Manchester:

The Committee on Community Improvement respectfully recommends, after due and careful consideration, that the Board authorize acceptance and expenditure of funds in the amount of \$11,868,000 for the FY2007 CIP 712907 Granite Street Widening Project, and for such purpose a resolution and budget authorization has been submitted.

(Unanimous vote)

Respectfully submitted,



Clerk of Committee


X

To the Board of Mayor and Aldermen of the City of Manchester:

The Committee on Community Improvement respectfully recommends, after due and careful consideration, that CIP #411504 Fire Emergency Management Planning be extended until December 31, 2006.

(Unanimous vote)

Respectfully submitted,



Clerk of Committee

Y

To the Board of Mayor and Aldermen of the City of Manchester:

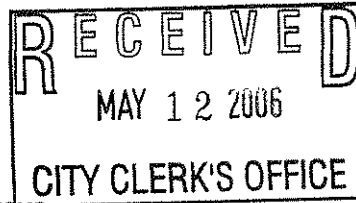
The Committee on Community Improvement respectfully recommends, after due and careful consideration, that a petition to discontinue Allard Drive (formerly known as North Turner Street), Chagnon Street, Lumber Lane, and Douglas Street be referred to a Road Hearing to be held on Monday, October 16, 2006 at 6 PM in the Aldermanic Chambers of City Hall.

(Unanimous)

Respectfully submitted,



Clerk of Committee



**City of Manchester
Department of Highways**

227 Maple Street
Manchester, New Hampshire 03103-5596
(603) 624-6444 Fax # (603) 624-6487

Commission

Edward J. Beleski
- Chairman
Joan Flurey
William F. Houghton Jr.
Robert R. Rivard
William A. Varkas

Frank C. Thomas, P.E.
Public Works Director

Kevin A. Sheppard, P.E.
Deputy Public Works Director

May 11, 2006

Community Improvement Committee of the Board of Mayor and Aldermen
c/o Leo R. Bernier, City Clerk
One City Hall Plaza
Manchester, New Hampshire 03101

Re: PETITION TO DISCONTINUE ALLARD DRIVE (FORMERLY KNOWN AS NORTH
TURNER STREET), CHAGNON STREET, LUMBER LANE, AND DOUGLAS STREET

Dear Committee:

The Manchester Highway Department supports the petition by the State of New Hampshire for the discontinuance of Allard Drive (formerly known as North Turner Street or River Road), Chagnon Street, Lumber Lane, and Douglas Street in conjunction with the Granite Street widening project.

Sincerely,

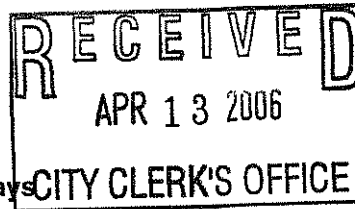
Frank Thomas, P.E.
Public Works Director

MJM
cc: File



**City of Manchester
Department of Highways**

227 Maple Street
Manchester, New Hampshire 03103-5596
(603) 624-6444 Fax # (603) 624-6487



Commission
Edward J. Beleski
- Chairman
Joan Flurey
William F. Houghton Jr.
Robert R. Rivard
William A. Varkas

Frank C. Thomas, P.E.
Public Works Director

Kevin A. Sheppard, P.E.
Deputy Public Works Director

April 13, 2006

Mr. Leo Bernier
City Clerk
City Hall
Manchester, NH

Re: Petition to Discontinue Portions of
Lumber Lane, Chagnon Street, Douglas Street and Allard Drive

Dear Mr. Bernier,

Attached is a petition from the New Hampshire Department of Transportation for the discontinuance of portions of Lumber Lane, Chagnon Street, Douglas Street and Allard Drive

This petition is necessary for the state's exit 5 improvements project.

Sincerely,

Dennis Anctil, P.E.

Enclosures

Cc: Frank Thomas, P.E.
Robert Landry, P.E., NHDOT



THE STATE OF NEW HAMPSHIRE
DEPARTMENT OF TRANSPORTATION



CAROL A. MURRAY, P.E.
Commissioner

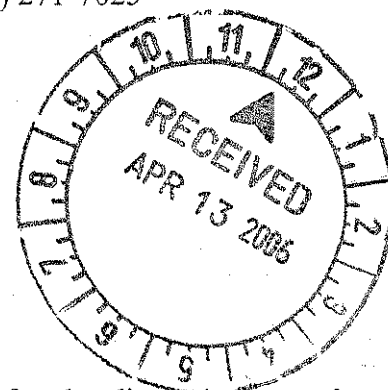
JEFF BRILLHART, P.E.
Assistant Commissioner

MANCHESTER
10622A
(I-293/Exit 5 - Granite Street Interchange)

Bureau of Highway Design
Room 200
Tel: (603) 271-3725
Fax: (603) 271-7025

Date April 11, 2006

Mr. Dennis Ancil, P.E.
Manchester Public Works
227 Maple Street
Manchester, NH 03103-5596



Dear Dennis Ancil:

The Department would like to ask the City of Manchester for the discontinuance of Allard Drive beginning at the intersection of Granite Street northerly to Foundry Street, Chagnon Street beginning at Allard Drive westerly to the end of Chagnon Street, Lumber Lane from the southerly end of Lumber Lane to the northerly end of Lumber Lane, and Douglas Street from the easterly end westerly to the relocated Allard Drive as shown on the attached plan.

The above items will allow the Allard Family, LC to construct site modification to accommodate an addition to their existing warehouse that will allow for continued operation of their business after the removal of their buildings located east of Allard Street. The buildings east of Allard Street need to be removed before construction of the new southbound off-ramp from I-293 at Exit 5 can begin. This work is included under the Manchester 10622C project, which is under way currently.

If you or the City has, any questions please feel free to contact me.

Sincerely,

L. Robert Landry, Jr., P.E.
Project Manager

cc: W. Cass, Assistant Director of Project Development
V. Chase, Right-of-Way Engineer, Bureau of Right-of-Way

s:\manchest\10622a\letters\ancil 041106 discontinue.doc

Y

***To the Honorable Board of Mayor and Aldermen of the
City of Manchester:***

PETITION TO DISCONTINUE A PORTION OF A HIGHWAY

**Allard Drive (formerly known as North Turner Street),
Chagnon Street, Lumber Lane, and Douglas Street**

The undersigned, Carol A. Murray, Commissioner for the New Hampshire Department of Transportation, respectfully represents for the accommodation of the public, there is occasion for discontinuing portions of certain highways known as Chagnon Street, Allard Drive, Lumber Lane, and Douglas Street in Manchester, New Hampshire as shown on a plan entitled "Proposed Street Discontinuance, Allard Drive (Formerly Known as North Turner Street), Chagnon Street, Lumber Lane, Douglas Street" dated March 2006 by City of Manchester. The layout of Allard Drive, formerly known as North Turner Street and River Road predates the records of the City of Manchester. The layout of the full length of Chagnon Street is recorded in Book 15 at page 370 of the records of the Highways, Streets and Bridges of the City Clerk of the City of Manchester. The layout of the full length of Lumber Lane is recorded in Book 15 at page 10 of the records of the Highways, Streets, and Bridges of the City Clerk of the City of Manchester. The layout of the full length of Douglas Street is recorded in Book 10 at page 81 of the records of the Highways, Streets, and Bridges of the City Clerk of the City of Manchester.

NOW THEREFORE, the undersigned hereby respectfully requests you to discontinue the above described portions of Allard Drive, Chagnon Street, Lumber Lane and Douglas Drive, and that it henceforth not be utilized for public rights.

Dated this _____ day of _____ 2006.

Allard Drive Discontinuance

Beginning at the intersection of the northerly line of Granite Street thence northerly to the southerly line of Foundry Street.

Containing 2,290 linear feet to be the same more or less.

Chagnon Street Discontinuance

Also, a certain portion of Chagnon Street in the City of Manchester, County of Hillsborough, State of New Hampshire, more particularly bounded and described as follows:

Beginning at the intersection of the westerly line of Allard Drive thence westerly to the westerly end of Chagnon Street.

Containing 245 linear feet to be the same more or less.

Y

Lumber Lane Discontinuance

Also, a certain portion of Lumber Lane in the City of Manchester, County of Hillsborough, State of New Hampshire, more particularly bounded and described as follows:

Beginning at the southerly end of Lumber Lane, being the westerly line of Allard Drive, formerly known as North Turner Street, thence northerly to the end of Lumber Lane.

Containing 286 linear feet to be the same more or less.

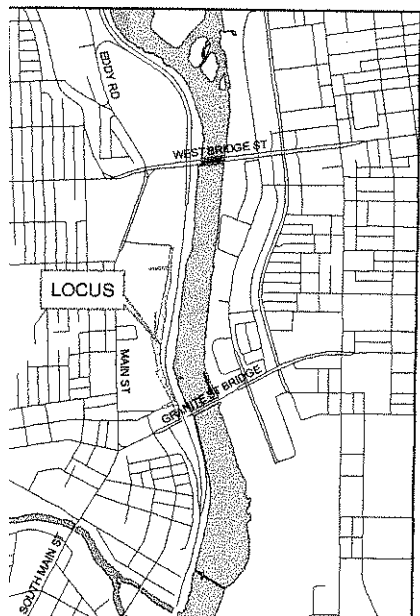
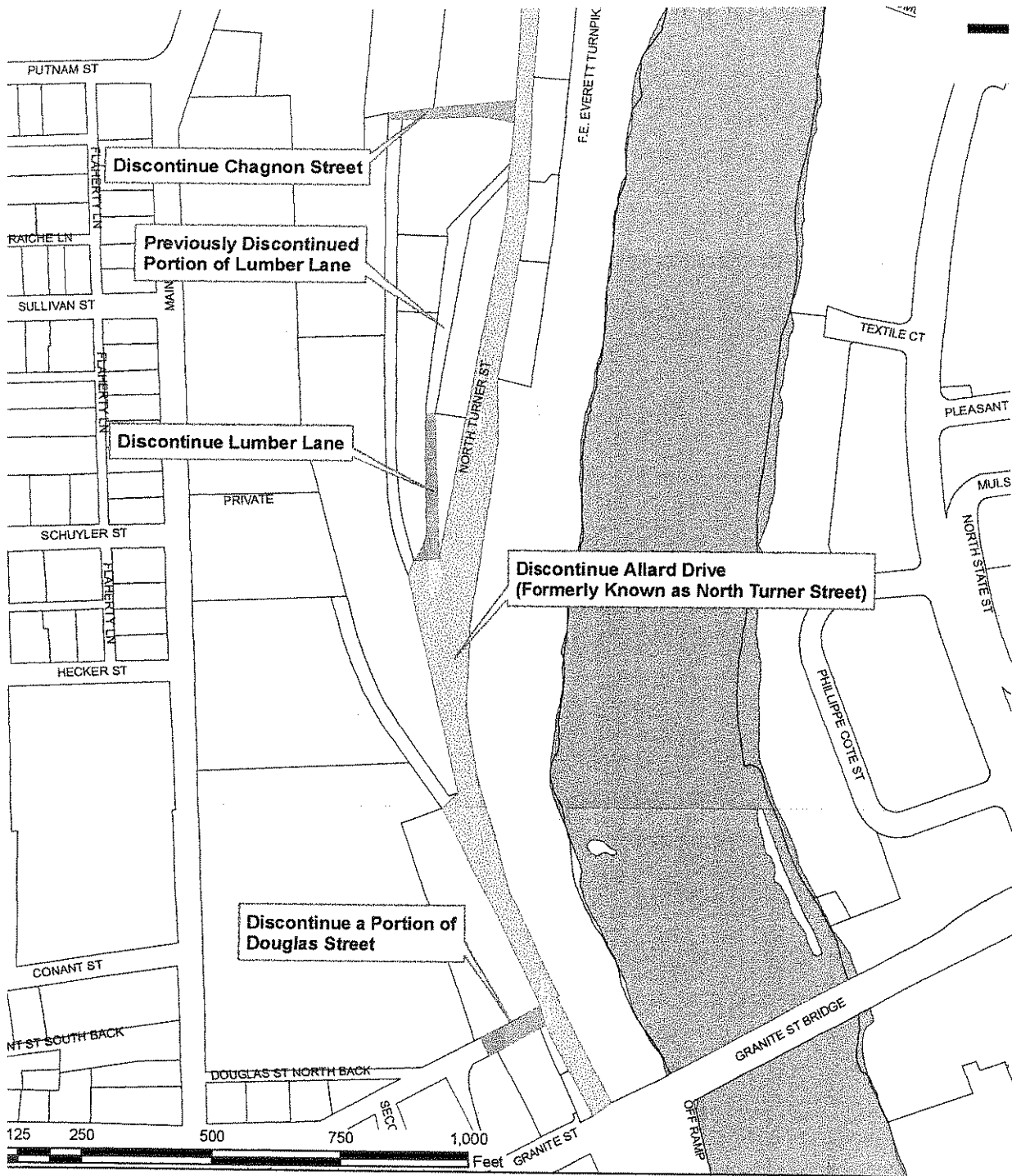
Douglas Street Discontinuance

Also, a certain portion of Douglas Street in the City of Manchester, County of Hillsborough, State of New Hampshire, more particularly bounded and described as follows:

Beginning at the easterly end of Douglas Street, being the westerly line of Allard Drive, formerly known as North Turner Street, thence westerly to the easterly line of the relocated Allard Drive.

Containing 130 linear feet to be the same more or less.


Carol A. Murray, Commissioner
New Hampshire Department of Transportation



Proposed Street Discontinuance
Allard Drive (Formerly Known as North Turner Street)
Chagnon Street, Lumber Lane, Douglas Street




Manchester, NH
 March 2006

Z

To the Board of Mayor and Aldermen of the City of Manchester:

The Committee on Community Improvement respectfully recommends, after due and careful consideration, that a petition to discontinue a portion of West Mitchell Street be referred to a Road Hearing to be held on Monday, October 16, 2006 at 6 PM in the Aldermanic Chambers of City Hall.

Respectfully submitted;



Clerk of Committee



**City of Manchester
Department of Highways**

227 Maple Street
Manchester, New Hampshire 03103-5596
(603) 624-6444 Fax # (603) 624-6487

Commission

Edward J. Beleski
- Chairman
Joan Flurey
William F. Houghton Jr.
Robert R. Rivard
William A. Varkas

Frank C. Thomas, P.E.
Public Works Director

Kevin A. Sheppard, P.E.
Deputy Public Works Director

May 11, 2006

Community Improvement Committee of the Board of Mayor and Aldermen
City Hall
c/o Leo R. Bernier, City Clerk
One City Hall Plaza
Manchester, New Hampshire 03101

RE: PETITION TO RELEASE AND DISCHARGE WEST MITCHELL STREET

Dear Committee Members,

We have reviewed the referenced item and have found the following:

West Mitchell Street was dedicated as Mitchell Ave by a subdivision plan entitled "Brown Avenue Terrace Manchester, N.H. owned by J.W. Wilbur" dated December 30, 1910 and recorded as plan 503-A-3 at the Hillsborough County Registry of Deeds.

West Mitchell Street was laid out from Brown Avenue westerly to the Boston & Maine Railroad land as a public way August 21, 1921. The action was recorded at Highways, Streets and Bridges book 9 page 215.

Sewer, water and drainage was installed in the street. A utility easement was obtained to cross the Boston & Maine Railroad at the extension of the original street line in March 1973.

About 1944 the westerly end of West Mitchell Street was realigned, through a portion of Pine Grove Cemetery, to accommodate the steep grade change. The alignment was shown on plan entitled "West Mitchell Grade Crossing", recorded as subdivision plan 175 at the Manchester Highway Department. It appears the road may not have been built as shown on this plan.

2

The realignment of West Mitchell Street left that portion of the street that lies west of the actual street location as an unmaintained Class VI road with public utilities. The City may consider discontinuing this portion of West Mitchell Street but subject to a 50' easement for the existing and future utilities. Before discontinuing the public street, it is advisable to have the petitioner provide a boundary plan delineating the accepted street, the realigned street and the easement areas as the highlighting of an exhibit plan is inadequate for our purposes.

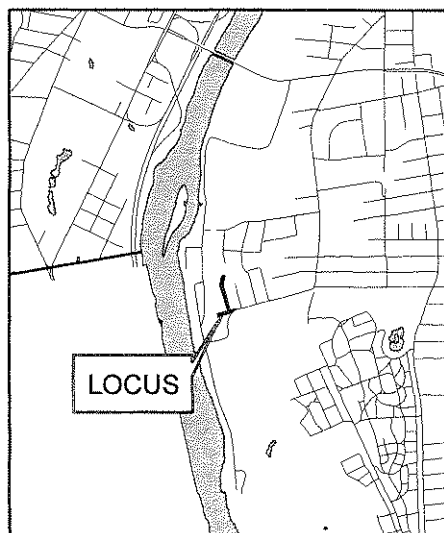
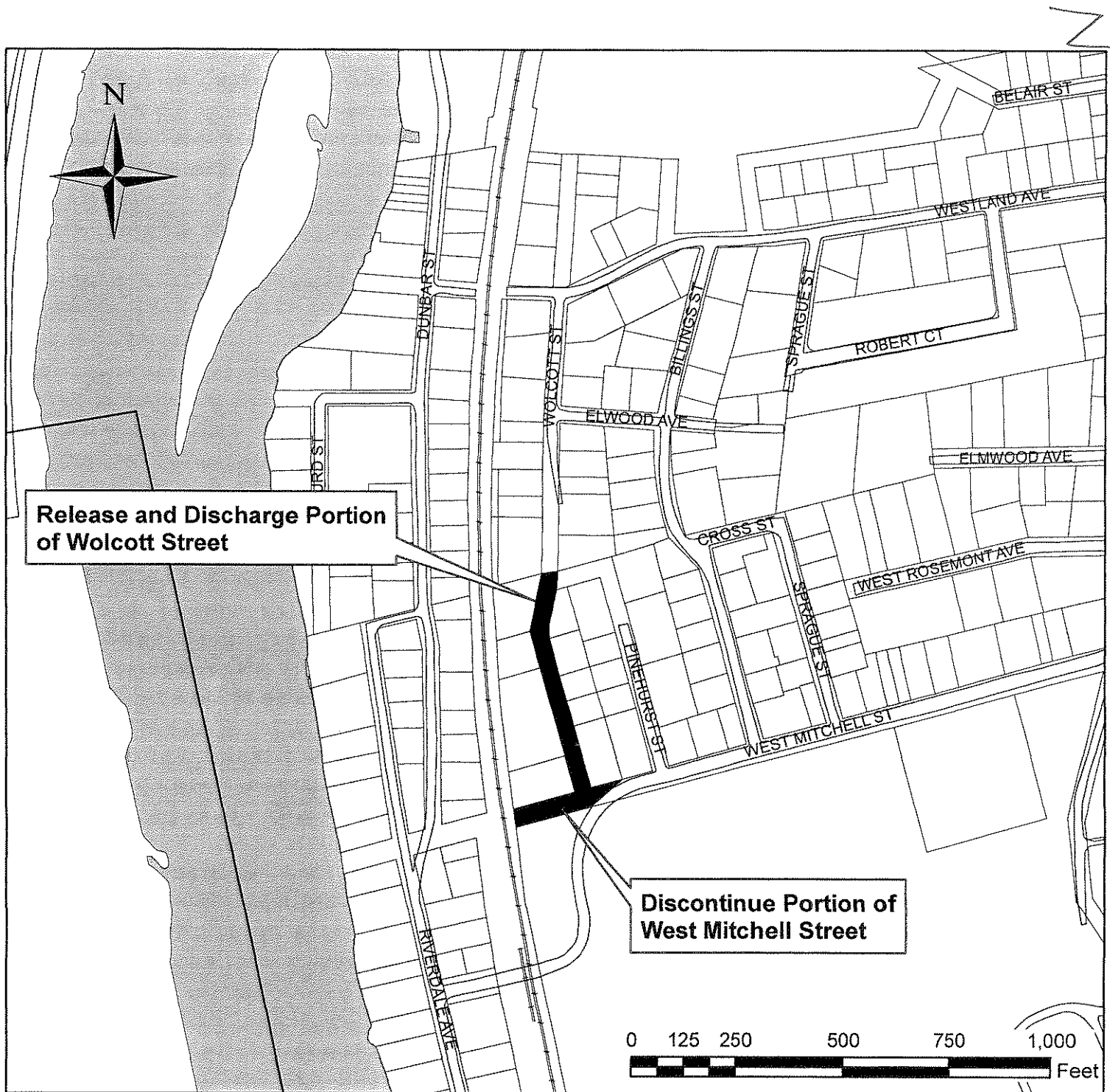
Sincerely,

A handwritten signature in black ink that reads "Frank Thomas". The signature is written in a cursive style with a large, stylized "F" and "T".

Frank Thomas, P.E.
Public Works Director

MJM

cc: File



Proposed Street Discontinuance Wolcott Street



Manchester, NH
May 2006

Printed by Manchester DPW May 2006

Z

ANDREW H. SULLIVAN

Attorney At Law

P.O. Box 10354
24 Eastman Avenue
Bedford, New Hampshire 03110

Tel (603) 644-5291
Fax (603) 644-0268

April 26, 2006

Board of Mayor & Alderman
C/o Leo R. Bernier, City Clerk
City of Manchester
One City Hall Plaza
Manchester, NH 03101

**RE: PETITION TO RELEASE AND DISCHARGE FROM PUBLIC
SERVITUDE:**

[a] Subject to the reservation described in ¶ [c], below:
**West Mitchell Street from the easterly line of Wolcott Street to
the easterly line of the Boston & Maine Rail Road right of way,
as situate between Tax Map 685, Lot 1 on the north and Tax
Map 465, Lot 1 on the south, as shown on Manchester Tax
Map 685. *This section of West Mitchell Street is hi-lited in
green on the enclosed plan.***

[b] Subject to the reservation described in ¶ [c], below:
**Wolcott Street from the southerly line of West Mitchell Street
to the northerly line of Low Street, as shown on Manchester
Tax Map 685. *This section of Wolcott Street is hi-lited in
yellow on the enclosed plan.***

[c] Excepted and reserved out of the descriptions in ¶¶
[a] and [b], above, is that area of the current, Class IV section
of West Mitchell Street which otherwise overlaps the area
described in ¶¶ [a] and [b], above. ***This section of the Class
IV portion of West Mitchell Street is hi-lited in pink on the
enclosed plan.***

Gentlemen:

I represent Yvan Rivard in this matter. He is the owner of Tax Map 685, Lot 1.

The above-referenced sections of West Mitchell Street and Wolcott Street are depicted
on old city tax maps as "paper streets".

Through this letter, and on behalf of Yvan Rivard it is requested that the above-
referenced sections of Wolcott Street and West Mitchell Street be released and
discharged from public servitude.

Z

Although an accepted city street, when West Mitchell Street was relocated, the above-referenced section of West Mitchell Street was filled in and never thereafter used, for a period in excess of 5 years. This section of West Mitchell Street is now an unmaintained Class VI road.

The above-section of Wolcott Street has never been accepted, opened, built or used for public travel within 20 years, or thereafter, of its dedication by being depicted on recorded plans. On information and belief, it has its original stand of trees thereon.

Neither of these road sections, for well in excess of 20 years prior to 1969 have been built out, used for public or private travel or served as "frontage" for the purpose of building permit issuance for abutting lots.

Enclosed, also, please find abutters list.

Abutters' lots would be enhanced by the release as under Duchesnaye v. Silva, 118 NH 728, 394 A2d 59 (1978), one-half of each discontinued way, from its center line, would accrue to that half's abutting lot. No other property owner would be affected.

Enclosed, also, is the applicable section of Tax Map 685 and a plan drawn of the area with the affected section of West Mitchell Street hi-lited in green and the affected section of Wolcott Street hi-lited in yellow. That section of the current Class IV section of West Mitchell Street which is not part of this request is hi-lited in pink.

Because this section of Wolcott Street has never been opened, built or used for public travel within 20 years of it being shown on a plan of land recorded in the registry of deeds, then, pursuant to RSA 231:51, it may be released and discharged from public servitude by vote of the Mayor and Board of Alderman.

This section of West Mitchell Street may be released and discharged from public servitude upon petition, and notice and hearing thereon pursuant to RSA 231:52.

Thank you.

Sincerely,


Andrew H. Sullivan

Cc: Yvan Rivard

2

**ABUTTER'S LIST
365 WEST MITCHELL STREET
MANCHESTER, NH
KNA PROJECT NO. 05-0114-1**

Tax Map	Lot	Applicant/Owner Name & Address
685	1-4	Rivard, Yvon D. 15 Tavistock Drive Bedford, NH 03110
Tax Map	Lot	Abutters - Name & Address
443	23	Country Ventures of Bedford, LLC 13 S. Bow Street Hooksett, NH 03106
433	22	Marcoux, Wayne E. 109 Wolcott Street Manchester, NH 03103-7370
465	1	City of Manchester Cemetery Department C/O Parks Recreations Department 625 Mammoth Road Manchester, NH 03104
685	5-7	Gerard B. Tanguay Trust of 2000 Priscilla A. Tanguay Trust of 2000 49 Pinehurst Avenue Manchester, NH 03103
685	8 & 9	Johnston, James C. & Mary H. 80 Bedford Street Lexington, MA 02173
685		Guilford Transportation Industries Boston and Maine RR Iron House Park North Billerica, MA 01862



input



AA

To the Board of Mayor and Aldermen of the City of Manchester:

The Committee on Community Improvement respectfully recommends, after due and careful consideration, that with regard to a petition for the release and discharge of a portion of Eugene Street, the Board find that the subject area of the petition having never been opened, built, nor used for public travel be released and discharged pursuant to RSA 231:51.

(Unanimous vote)

Respectfully submitted,



Clerk of Committee

AA

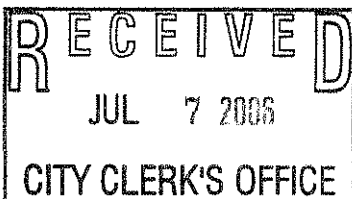
Board of Mayor and Aldermen
1 City Hall Plaza
Manchester N.H. 03101

Kevin Duval
175 Phillip St.
Manchester N.H. 03102

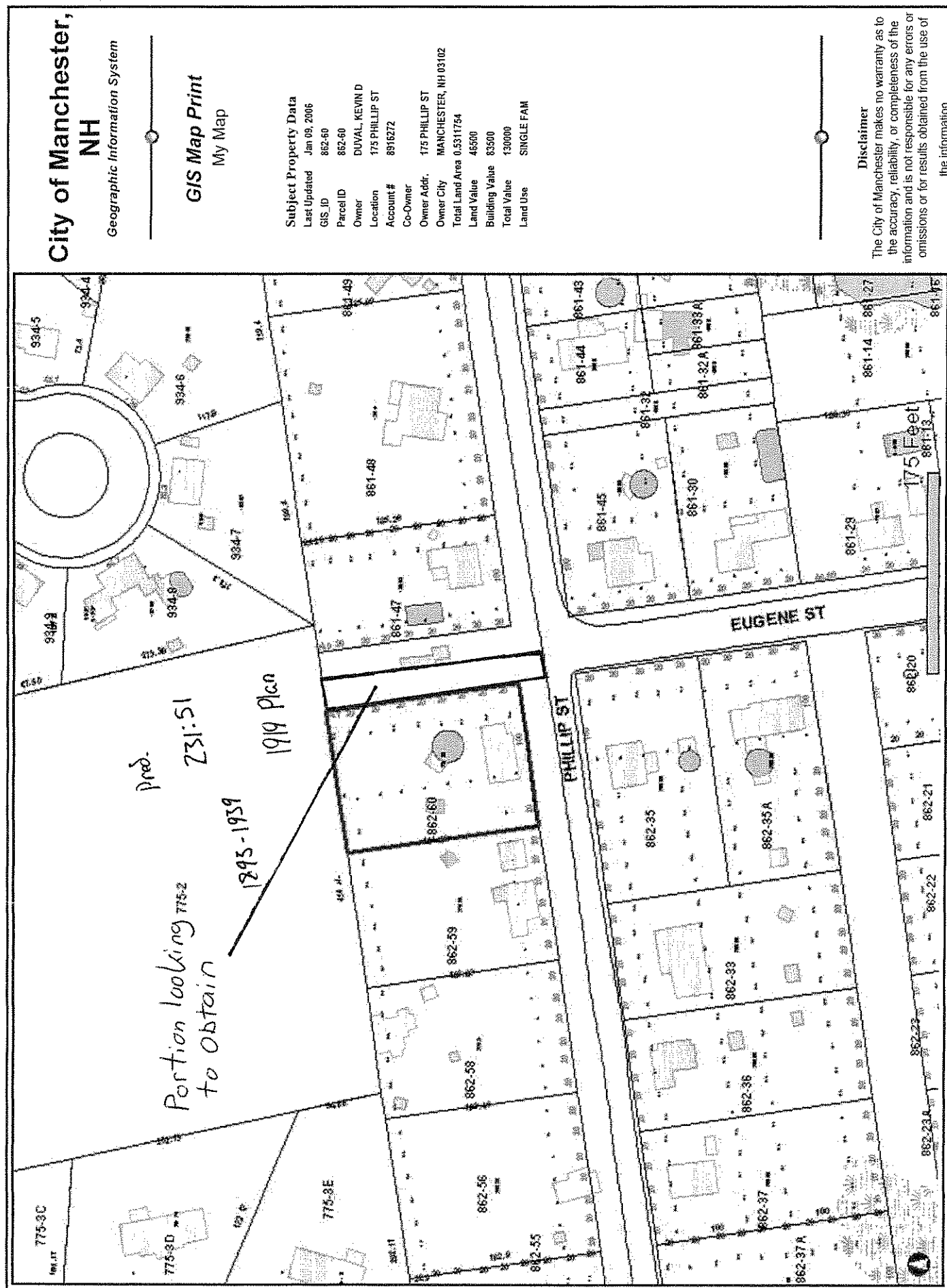
Dear Board of Mayor and Aldermen,

I currently live at 175 Phillip St., lot 862-60 and am requesting a petition to quiet title for the unused ½ portion of Eugene St. between lot 862-60 and 861-47 I understand that the unused portion, according to RSA 231:51, that the portion goes back to the abutters after 20 years. I am looking to obtain this portion and have my land resurveyed upon the street being discontinued or discharged. Any information regarding this will be greatly appreciated.

Sincerely,
Kevin Duval
Home # 666-0646
Cell # 391-6329



PA





**City of Manchester
Department of Highways**

227 Maple Street
Manchester, New Hampshire 03103-5596
(603) 624-6444 Fax # (603) 624-6487

Commission

Edward J. Beleski
- Chairman
Joan Flurey
William F. Houghton Jr.
Robert R. Rivard
William A. Varkas

Frank C. Thomas, P.E.
Public Works Director

Kevin A. Sheppard, P.E.
Deputy Public Works Director

July 11, 2006

Community Improvement Committee of the Board of Mayor and Aldermen
Manchester City Hall
c/o Leo R. Bernier, City Clerk
One City Hall Plaza
Manchester, New Hampshire 03101

RE: PETITION TO RELEASE AND DISCHARGE A PORTION OF EUGENE STREET

Dear Committee Members,

We have reviewed the referenced item and have found the following:

Eugene Street was dedicated by a subdivision plan entitled "Tenneyside Park, Manchester, N.H. dated 1919. A revision of the subdivision plan entitled "Tenneyside Park - Portion being developed by Jon H. Graham" is dated April 19, 1972 and was approved by the Manchester Planning Board.

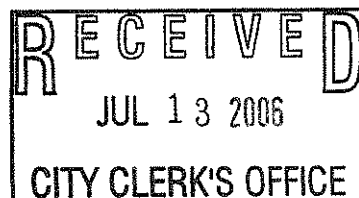
No acceptance of either dedication or return of layout for Eugene Street was found.

Eugene Street was never opened nor built for public travel. Therefore, RSA 231:51, before the 7/16/1989 amendment, released the 1919 dedication of this portion of Eugene Street from public servitude in 1939. Possibly, the 1972 subdivision may be considered a second dedication of this portion of Eugene Street. Since over 20 years has lapsed, a simple vote by the Board of Mayor and Alderman would be required to release and discharge the 1972 dedication.

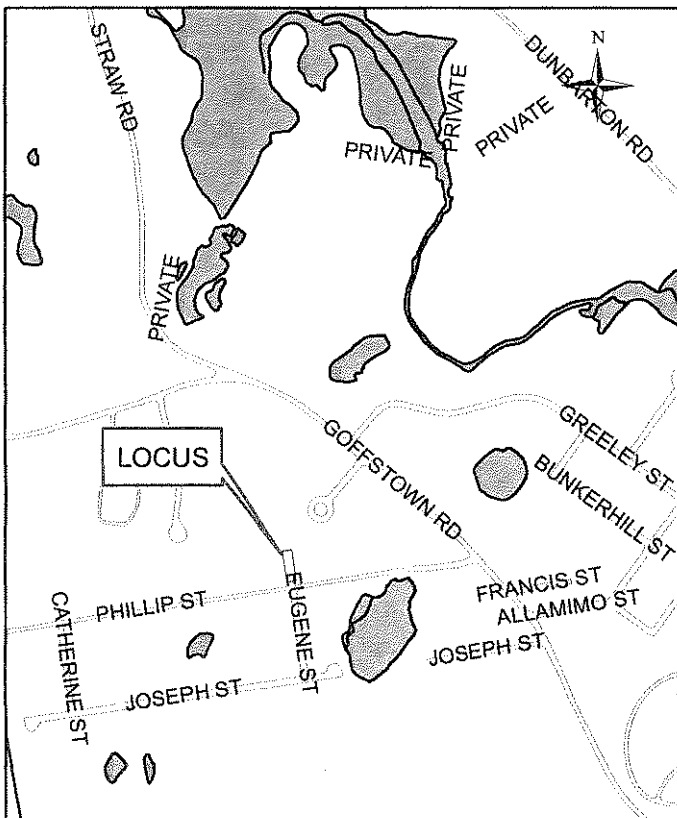
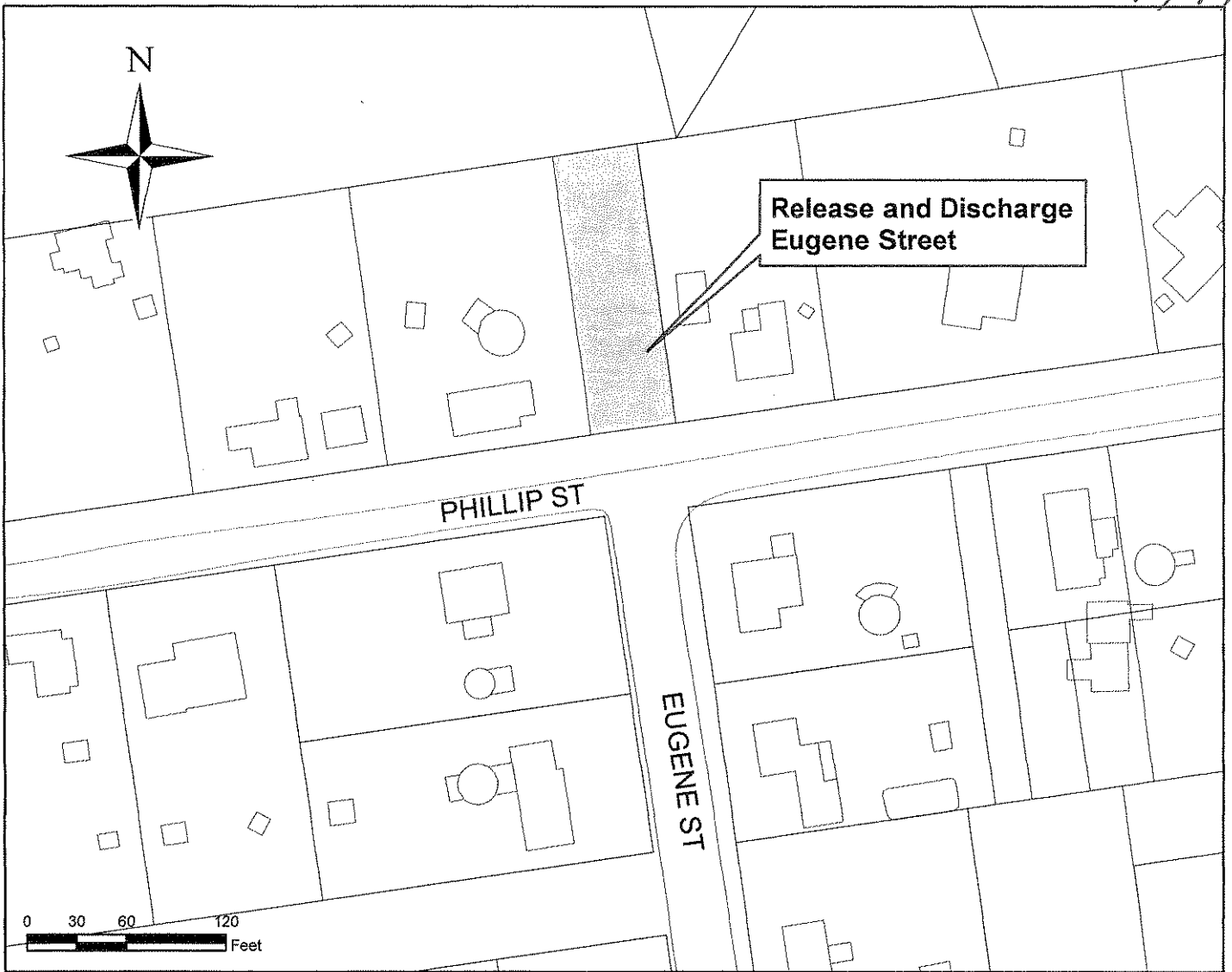
Sincerely,

Frank Thomas, P.E.
Public Works Director

MJM
cc: File



AA



Proposed Street Release and Discharge
Eugene Street



Manchester, NH

July 11, 2006

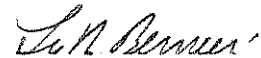
AB

To the Board of Mayor and Aldermen of the City of Manchester:

The Committee on Community Improvement respectfully recommends, after due and careful consideration, that with regard to a petition for the release and discharge of a portion of Wolcott Street, the Board find that the subject area of the petition having never been opened, built, nor used for public travel be released and discharged pursuant to RSA 231:51.

(Unanimous vote)

Respectfully submitted,



Clerk of Committee

ANDREW H. SULLIVAN

Attorney At Law

AB

P.O. Box 10354
24 Eastman Avenue
Bedford, New Hampshire 03110

Tel (603) 644-5291
Fax (603) 644-0268

April 26, 2006

Board of Mayor & Alderman
C/o Leo R. Bernier, City Clerk
City of Manchester
One City Hall Plaza
Manchester, NH 03101

**RE: PETITION TO RELEASE AND DISCHARGE FROM PUBLIC
SERVITUDE:**

[a] Subject to the reservation described in ¶ [c], below:
West Mitchell Street from the easterly line of Wolcott Street to
the easterly line of the Boston & Maine Rail Road right of way,
as situate between Tax Map 685, Lot 1 on the north and Tax
Map 465, Lot 1 on the south, as shown on Manchester Tax
Map 685. *This section of West Mitchell Street is hi-lited in
green on the enclosed plan.*

[b] Subject to the reservation described in ¶ [c], below:
Wolcott Street from the southerly line of West Mitchell Street
to the northerly line of Low Street, as shown on Manchester
Tax Map 685. *This section of Wolcott Street is hi-lited in
yellow on the enclosed plan.*

[c] Excepted and reserved out of the descriptions in ¶¶
[a] and [b], above, is that area of the current, Class IV section
of West Mitchell Street which otherwise overlaps the area
described in ¶¶ [a] and [b], above. *This section of the Class
IV portion of West Mitchell Street is hi-lited in pink on the
enclosed plan.*

Gentlemen:

I represent Yvan Rivard in this matter. He is the owner of Tax Map 685, Lot 1.

The above-referenced sections of West Mitchell Street and Wolcott Street are depicted
on old city tax maps as "paper streets".

Through this letter, and on behalf of Yvan Rivard it is requested that the above-
referenced sections of Wolcott Street and West Mitchell Street be released and
discharged from public servitude.

AB

Although an accepted city street, when West Mitchell Street was relocated, the above-referenced section of West Mitchell Street was filled in and never thereafter used, for a period in excess of 5 years. This section of West Mitchell Street is now an unmaintained Class VI road.

The above-section of Wolcott Street has never been accepted, opened, built or used for public travel within 20 years, or thereafter, of its dedication by being depicted on recorded plans. On information and belief, it has its original stand of trees thereon.

Neither of these road sections, for well in excess of 20 years prior to 1969 have been built out, used for public or private travel or served as "frontage" for the purpose of building permit issuance for abutting lots.

Enclosed, also, please find abutters list.

Abutters' lots would be enhanced by the release as under Duchesnaye v. Silva, 118 NH 728, 394 A2d 59 (1978), one-half of each discontinued way, from its center line, would accrue to that half's abutting lot. No other property owner would be affected.

Enclosed, also, is the applicable section of Tax Map 685 and a plan drawn of the area with the affected section of West Mitchell Street hi-lited in green and the affected section of Wolcott Street hi-lited in yellow. That section of the current Class IV section of West Mitchell Street which is not part of this request is hi-lited in pink.

Because this section of Wolcott Street has never been opened, built or used for public travel within 20 years of it being shown on a plan of land recorded in the registry of deeds, then, pursuant to RSA 231:51, it may be released and discharged from public servitude by vote of the Mayor and Board of Alderman.

This section of West Mitchell Street may be released and discharged from public servitude upon petition, and notice and hearing thereon pursuant to RSA 231:52.

Thank you.

Sincerely,


Andrew H. Sullivan

Cc: Yvan Rivard

AB

ABUTTER'S LIST
365 WEST MITCHELL STREET
MANCHESTER, NH
 KNA PROJECT NO. 05-0114-1

Tax Map	Lot	Applicant/Owner Name & Address
685	1-4	Rivard, Yvon D. 15 Tavistock Drive Bedford, NH 03110
Tax Map	Lot	Abutters - Name & Address
443	23	Country Ventures of Bedford, LLC 13 S. Bow Street Hooksett, NH 03106
433	22	Marcoux, Wayne E. 109 Wolcott Street Manchester, NH 03103-7370
465	1	City of Manchester Cemetery Department C/O Parks Recreations Department 625 Mammoth Road Manchester, NH 03104
685	5-7	Gerard B. Tanguay Trust of 2000 Priscilla A. Tanguay Trust of 2000 49 Pinehurst Avenue Manchester, NH 03103
685	8 & 9	Johnston, James C. & Mary H. 80 Bedford Street Lexington, MA 02173
685		Guilford Transportation Industries Boston and Maine RR Iron House Park North Billerica, MA 01862

AB

Input



AB



**City of Manchester
Department of Highways**

227 Maple Street
Manchester, New Hampshire 03103-5596
(603) 624-6444 Fax # (603) 624-6487

Commission

Edward J. Beleski
- Chairman
Joan Flurey
William F. Houghton Jr.
Robert R. Rivard
William A. Varkas

Frank C. Thomas, P.E.
Public Works Director

Kevin A. Sheppard, P.E.
Deputy Public Works Director

May 11, 2006

Community Improvement Committee of the Board of Mayor and Aldermen
City Hall
c/o Leo R. Bernier, City Clerk
One City Hall Plaza
Manchester, New Hampshire 03101

RE: PETITION TO DISCONTINUE A PORTION OF WOLCOTT STREET

Dear Committee Members,

We have reviewed the referenced item and have found the following:

Wolcott Street was dedicated as Wolcott Avenue by a subdivision plan **entitled "Brown Avenue Terrace Manchester, N.H. owned by J.W. Wilbur"** dated December 30, 1910 and recorded as plan 503-A-3 at the Hillsborough County Registry of Deeds.

Our records do not indicate that the petitioned part of Wolcott Street was ever opened or built for public travel. Therefore, RSA 231:51, before the 1989 amendment, released this portion of Wolcott Street from public servitude December 30, 1930. Because of this, Wolcott Street does not have any public status and does not need to be released and discharged.

The City GIS map does not indicate any utilities in this portion of Wolcott Street.

Sincerely,

Frank Thomas, P.E.
Public Works Director

MJM
cc: File

AC

To the Board of Mayor and Aldermen of the City of Manchester:

The Committee on Community Improvement respectfully advises, after due and careful consideration, that they have approved a request of the Deputy Public Works Director to recycle some of the used police cruisers into the existing fleet.

(Unanimous vote)

Respectfully submitted,

L. N. Sinner

Clerk of Committee



**City of Manchester
Department of Highways**

227 Maple Street
Manchester, New Hampshire 03103-5596
(603) 624-6444 Fax # (603) 624-6487

Commission

Edward J. Beleski
- Chairman
Joan Flurey
William F. Houghton Jr.
Robert R. Rivard
William A. Varkas

Frank C. Thomas, P.E.
Public Works Director

Kevin A. Sheppard, P.E.
Deputy Public Works Director

August 8, 2006

C.I.P. Committee of the
Honorable Board of Mayor and Aldermen
CITY OF MANCHESTER
One City Hall Plaza,
Manchester, New Hampshire 03101

Attn: Leo Bernier, City Clerk

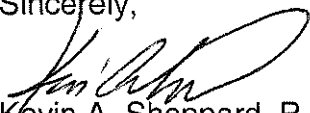
Re: *Motorized Equipment Replacement
Police Cruisers*

Dear Committee Members:

As you are aware, the Police Department will be replacing 8 cruisers during this fiscal year. I am requesting the Committee's approval to recycle some of the used cruisers into the existing fleet. These cruisers would replace older cruisers being utilized in various Departments.

Your review and approval of this request would be appreciated. I will be available to address any questions you may have on this matter.

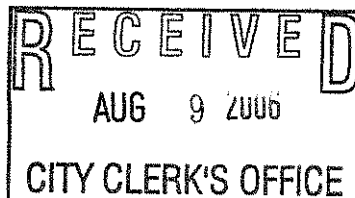
Sincerely,



Kevin A. Sheppard, P.E.
Deputy Public Works Director

/cd

cc: Frank C. Thomas, P.E.
Melinda Salomone-Abood



AD

To the Board of Mayor and Aldermen of the City of Manchester:

The Committee on Human Resources/Insurance respectfully advises, after due and careful consideration, that it has approved Ordinances:

“Amending Section 33.054 (B) (2) (Overtime Compensation/Comp Time) of the Code of Ordinances of the City of Manchester.”

“Amending Section 33.076 (A), Special Leave of the Code of Ordinances of the City of Manchester.”

“Amending Section 33.080 (A) (1) Military Service, of the Code of Ordinances of the City of Manchester.”

and is recommending same be referred to the Committee on Bills on Second Reading for technical review.

(Aldermen Gatsas, Shea, Pinard and Duval voted yea; Alderman Garrity was absent.)

Respectfully submitted,



Clerk of Committee

A D

City of Manchester New Hampshire

In the year Two Thousand and six

AN ORDINANCE

"Amending Section 33.054 (B) (2) (Overtime Compensation/Comp Time) of the Code of Ordinances of the City of Manchester."

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester, as follows:

I. Amend Section 33.054 (B) (2), Overtime Compensation/Comp Time, of the Code of Ordinances of the City of Manchester by deleting language stricken (---) and inserting new language as bolded (**bold**). Language of Section 33.054 (B) (2), not struck through or bolded remains unchanged.

§ 33.054 (B) (2) OVERTIME COMPENSATION/COMP TIME

(2) ~~Compensatory time off in lieu of overtime payment shall be at time and one half rate. Such compensatory time earned must be taken within one pay period following the dates earned or request for payment for overtime must be submitted for the employee by the department. Compensatory time shall not be accrued beyond the pay period following the overtime actually worked. Such compensatory time shall be used only to compensate employees who are on a 35 hour standard work week and work more than seven hours per day or more than 35 hours, but not over 40 hours in one week. All overtime worked beyond 40 hours in one week must be paid at the time and one half, except for executive, administrative and professional employees in exempt positions as defined in the administrative regulations.~~

(2) **Compensatory time off in lieu of overtime payment shall be at time and one half rate. The maximum amount of compensatory time that may be accrued is 80 hours. The Department Head shall determine whether it is in the best interest of the department to pay the employee for overtime or to allow the employee to accrue compensatory time. Compensatory time off may be granted by the Department when it least interferes with the efficient operation of the Department. Accrued compensatory time must be utilized prior to the employee terminating from employment.**

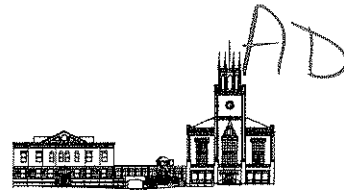
II. This Ordinance shall take effect upon its passage and all Ordinances or parts of Ordinances inconsistent therewith are hereby repealed.



CITY OF MANCHESTER

Human Resources Department

One City Hall Plaza
Manchester, New Hampshire 03101
Tel: (603) 624-6543 (V/TTY) • Fax: (603) 628-6065
www.ManchesterNH.gov



July 17, 2006

Alderman Ted Gatsas, Chairman
Human Resource and Insurance Committee
City of Manchester
One City Hall Plaza
Manchester, New Hampshire 03101

Re: Proposed Change to Ordinance 33.054(B)(2)
Overtime Compensation/Compensatory Time

Dear Alderman Gatsas and Members of the Committee:

I would like to propose a change to the current Ordinance that provides for compensatory time in lieu of paid overtime. If you will refer to the attached document, you will see the current language which is in Ordinance 33.054(B)(2).

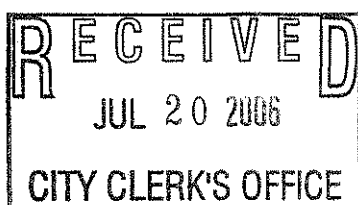
The current Ordinance requires that the employee must use the compensatory time prior to the end of the following pay period. Typically, overtime, or compensatory time is worked when there is a peak in the work load. One can not always predict precisely when that peak will end. Further, by establishing a maximum accrual, the Department Head will have the discretion to allow the employee to take the compensatory time off when it will least interfere with efficient operations of his/her department. This seems more reasonable than the current mandate. Generally, by Federal law, employees may accrue compensatory time to a maximum amount of 240 hours. I am proposing eighty (80) hours for City employees. I am also proposing that all accrued compensatory time will have to have been taken prior to the employee terminating from City employment. This will ensure that we do not have an un-funded liability.

Your favorable approval of the change to the compensatory time Ordinance would be greatly appreciated.

Respectfully submitted,

Virginia A. Lamberton
Human Resources Director

Attachment



AD

City of Manchester New Hampshire

In the year Two Thousand and six

AN ORDINANCE

"Amending Section 33.076 (A), Special Leave of the Code of Ordinances of the City of Manchester."

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester, as follows:

- I. Amend Section 33.076 (A) Special Leave, of the Code of Ordinances of the City of Manchester by deleting language stricken (---) and inserting new language as bolded (**bold**). Language of Section 33.076 (A) not struck through or bolded remains unchanged.

§ 33.076 (A) SPECIAL LEAVE

(A) ~~In addition to other leaves authorized by this subchapter, a department head with approval of the Mayor, may authorize an employee to be absent without pay for personal reasons for a period or periods not to exceed ten work days in any calendar year.~~

(A) **In addition to other leaves authorized by this subchapter, a department head shall be authorized to grant an employee up to 90 days without pay in a calendar year.**

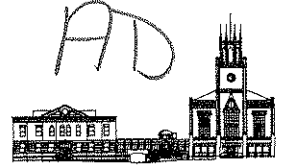
- II. This Ordinance shall take effect upon its passage and all Ordinances or parts of Ordinances inconsistent therewith are hereby repealed.



CITY OF MANCHESTER

Human Resources Department

One City Hall Plaza
Manchester, New Hampshire 03101
Tel: (603) 624-6543 (V/TTY) • Fax: (603) 628-6065
www.ManchesterNH.gov



July 18, 2006

Alderman Ted Gatsas, Chairman
Human Resource and Insurance Committee
City of Manchester
One City Hall Plaza
Manchester, New Hampshire 03101

Re: Proposed Change to Ordinance 33.076(A), Special Leave

Dear Alderman Gatsas and Members of the Committee:

Currently, a Department Head, with concurrence of the Mayor, is only authorized to grant an employee ten days without pay in any calendar year. Any additional time off without pay beyond the ten days as authorized by this Ordinance, must have the approval of the Board of Mayor and Aldermen.

Leave without pay is typically due to an employee's own illness or the serious illness of an immediate family member. Occasionally, there will be other circumstances, but most often the time is needed for serious health problems.

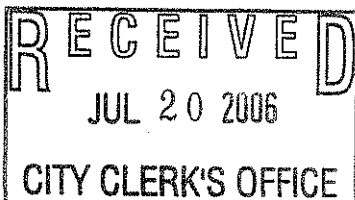
Section 3.04, Authority, in the City Charter gives a Department Head exclusive authority within their departments in personnel matters. It would seem appropriate to have a Department Head make the determination as to whether or not he/she can or can not grant an employee up to ninety (90) days off without pay. Any additional time off beyond the ninety (90) days in a calendar year, would require approval from the Board of Mayor and Aldermen.

Your favorable approval of this change would be greatly appreciated.

Respectfully submitted,

Virginia A. Lamberton
Human Resources Director

Attachment



A D

City of Manchester
New Hampshire

In the year Two Thousand and six

AN ORDINANCE

"Amending Section 33.080 (A) (1) Military Service, of the Code of Ordinances of the City of Manchester."

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester, as follows:

I. Amend Section 33.080 (A) (1) Military Service, of the Code of Ordinances of the City of Manchester by deleting language stricken (---) and inserting new language as bolded (**bold**). Language of Section 33.080 (A) (1) not struck through or bolded remains unchanged.

§ 33.080 (A) (1) MILITARY SERVICE

(1) **In addition to the ten paid military days for training each training year (October 1 to September 30), said employees shall be eligible for five additional paid military days to attend military funerals as assigned by the military.**

II. This Ordinance shall take effect upon its passage and all Ordinances or parts of Ordinances inconsistent therewith are hereby repealed.



CITY OF MANCHESTER

Human Resources Department

One City Hall Plaza
Manchester, New Hampshire 03101
Tel: (603) 624-6543 (V/TTY) • Fax: (603) 628-6065
www.ManchesterNH.gov



July 18, 2006

Alderman Ted Gatsas, Chairman
Human Resource and Insurance Committee
City of Manchester
One City Hall Plaza
Manchester, New Hampshire 03101

Re: Request to Amend Ordinance 33.080, Military Service

Dear Alderman Gatsas and Members of the Committee:

Currently the City provides ten days of paid military leave to members of the Reserves or National Guard. Any other military orders that the Reservist or National Guard member receives, requires the employee to utilize his/her vacation time if such is available. If no vacation time is available, the employee must take the time off without pay.

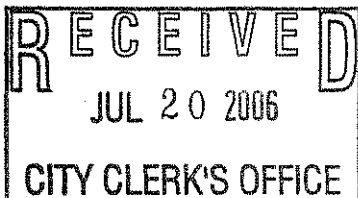
Unfortunately there have been all too many deaths of our service men and women. I have been informed that often times the Reservist or National Guard member will receive orders to attend and participate in funerals. One person told me that he has used almost all of his time to fulfill these orders. Therefore, I would like to suggest that we increase the paid military leave. Specifically, I am recommending that we allow an additional five days of paid military leave for the specific purpose of attending funerals that the employees are ordered to participate in.

Your favorable approval of this request would be greatly appreciated.

Respectfully submitted,

Virginia A. Lamberton
Human Resources Director

Attachment



AE

To the Board of Mayor and Aldermen of the City of Manchester:

The Committee on Human Resources/Insurance respectfully recommends, after due and careful consideration, that a request for reclassification and updates to positions in the Information Systems Department be approved as follows:

Computer Operator II

Update content of class specification; no change in salary.

Web Services Administrator

Update content of class specification; no change in salary.

Systems/Programming Manager

Update content of class specification; no change in salary, change title to Systems/Development Manager.

Computer Programmer

Update content of class specification; increase salary from Grade 18 to Grade 19, and change title to Applications Developer/Analyst.

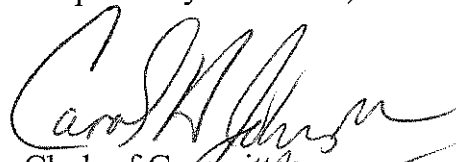

Computer Programmer/Analyst

Update content of class specification, no change in salary, change title to Senior Applications Developer/Analyst.

For such purpose ordinances have been submitted for referral and adoption as appropriate.

Aldermen Gatsas, Shea, Pinard, Duval in favor; Alderman Garrity absent.

Respectfully submitted,


Clerk of Committee


City of Manchester New Hampshire

In the year Two Thousand and Six

AN ORDINANCE

“Amending Section 33.026 (Computer Operator II & Web Services Administrator) of the Code of Ordinances of the City of Manchester.”

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester, as follows:

SECTION 33.026 CLASS SPECIFICATIONS be amended as follows

Change Class Specification for Computer Operator II, Grade 14, Class Code 2140, non-exempt (see attachment)

Change Class Specification for Web Services Administrator, Class Code 2196, Grade 21, exempt (see attachment)

This Ordinance shall take effect upon its passage and all Ordinances or parts of Ordinances inconsistent therewith are hereby repealed.

AE

AE

City of Manchester, New Hampshire

Class Specification

This is a class specification and not an individualized job description. A class specification defines the general character and scope of responsibilities of all positions in a job classification, but it is not intended to describe and does not necessarily list every duty for a given position in a classification.

Class Title	Computer Operator II
Class Code Number	2140-14

General Statement of Duties

Operates a centralized computer system; performs directly related work as required.

Distinguishing Features of the Class

The principal function of an employee in this class is to operate a centralized computer to provide scheduled data processing service for users in the City. The work is performed under the supervision and direction of the ~~Systems/Programming~~ Systems/Development Manager but considerable leeway is granted for the exercise of independent judgement and initiative. This class is distinguished from the class of Computer Operator I by the additional responsibility of scheduling and organizing operating work. The nature of the work performed requires that an employee in this class establish and maintain effective working relationships with other computer operators, other City employees and the public. The principal duties of this class are performed in a general office environment and various field locations.

Examples of Essential Work (illustrative only)

- Schedules and organizes work assignments for ~~Computer Operators~~; computer operations;
- Sets up jobs and operates centralized computer equipment in conformance with established policies, procedures and schedules;

- Monitors centralized computer operation, identifying and resolving problems within established procedures;
- Prepares job output for users;
- Provides on-call user support in computer and network problem resolution, referring problems as necessary;
- Maintains required reports and documentation for all jobs;
- Maintains work area according to procedures;
- Performs ~~micro-computer data transfer~~ data transfers using networks;
- Monitors City telecommunications networks and resolves problems;
- Coordinates activities with personnel in the same class;
- Sets job parameters as required, using appropriate job control language;
- Performs established backup procedures for centralized and networks;
- Provides needed information and demonstrations concerning how to perform certain work tasks to new employees in the department;
- Keeps immediate supervisor and designated others fully and accurately informed concerning work progress, including present and potential work problems and suggestions for new or improved ways of addressing such problems;
- Attends meetings, conferences, workshops and training sessions and reviews publications and audio-visual materials to become and remain current on the principles, practices and new developments in assigned work areas;
- Responds to questions and comments from City department heads and other users in a courteous and timely manner;
- Communicates and coordinates regularly with appropriate others to maximize the effectiveness and efficiency of interdepartmental operations and activities;
- Performs other directly related duties consistent with the role and function of the classification.

<p>Required Knowledge, Skills and Abilities (at time of appointment)</p>

- Substantial knowledge of computer operations in the City, including centralized computers and network operation, maintenance, and troubleshooting;
- Substantial knowledge of City computing resources and related networks;
- Substantial knowledge of data processing, practices and procedures;
- Substantial knowledge of the operation and maintenance of centralized computers equipment, networks, and software;
- Substantial knowledge of centralized computer job control language;
- Substantial knowledge of data processing troubleshooting principals and practices;
- Ability to communicate effectively with others, both orally and in writing, using both technical and non-technical language;
- Ability to understand and follow oral and/or written policies, procedures and instructions;
- Ability to prepare and present accurate and reliable reports containing findings and recommendations;

AE

- Ability to operate a personal computer using standard or customized software applications appropriate to assigned tasks;
- Ability to use logical and creative thought processes to develop solutions according to written specifications and/or oral instructions;
- Ability to perform a wide variety of duties and responsibilities with accuracy and speed under the pressure of time-sensitive deadlines;
- Ability and willingness to quickly learn and put to use new skills and knowledge brought about by rapidly changing information and/or technology;
- Integrity, ingenuity and inventiveness in the performance of assigned tasks.

Acceptable Experience and Training

- Graduation from High School; and
- Some experience in operating centralized computer systems and networks; or
- Any equivalent combination of experience and training which provides the knowledge, skills and abilities necessary to perform the work.

Required Special Qualifications

- Valid Driver's License.

Essential Physical Abilities

- Sufficient clarity of speech and hearing or other communication capabilities, with or without reasonable accommodation, which permits the employee to communicate effectively;
- Sufficient vision or other powers of observation, with or without reasonable accommodation, which permits the employee to monitor computer operations, diagnose computer and network problems and to review a wide variety of materials in electronic or hardcopy form;
- Sufficient manual dexterity with or without reasonable accommodation, which permits the employee to load and operate computer systems, networks and related equipment;
- Sufficient personal mobility and physical reflexes, with or without reasonable accommodation, which permits the employee to transport assigned equipment as necessary to perform timely computer system and network operation procedures, and to function within the general office environment.

AE

Approved by: _____ Date: _____

AE



City of Manchester, New Hampshire

Class Specification

This is a class specification and not an individualized job description. A class specification defines the general character and scope of responsibilities of all positions in a job classification, but it is not intended to describe and does not necessarily list every duty for a given position in a classification.

Class Title	Web Services Administrator
Class Code Number	2196-21

General Statement of Duties

Leads in the definition of the City's strategic Web direction. Works with departments for determination, implementation and support of Web applications. Recommends Web architecture design and develops an implementation plan that is consistent with the City's strategic goals and objectives. Is responsible for ensuring sound definition, structure, operations and documentation for the City's Web site.

Distinguishing Features of the Class

The principal function of an employee in this class is to ensure professional principles are applied in the support of the City's Web site. The work is performed under the supervision and direction of the ~~Systems and Programming~~ Systems/Development Manager and Information Services Director but considerable leeway is granted for the exercise of independent judgement and initiative. The nature of the work performed requires that an employee in this class establish and maintain effective working relationships with other City employees, outside contractors and the public. The principal duties of this class are performed in a general office environment.

Examples of Essential Work (Illustrative Only)

- Plans, organizes and provides technical support for the City's Web site;
- Establishes methods and criteria for the evaluation, selection, installation and configuration of Web site software;

- Develops standards and procedures for the selection and use of web development and processing software.
- Develops policies regarding security and disaster recovery relative to the City Web site;
- Monitors and analyzes Web site statistics and makes appropriate modifications and recommendations as required.
- Performs troubleshooting and problem resolution on Web site applications.
- Reviews and analyzes user requests for Web applications, including advising and recommending the feasibility of proposed requests;
- Develops technical specifications for proposals and bids, including assisting in the evaluation process;
- Provides technical and operational training and support, including writing technical and operational documentation;
- Provides technical advice in evaluating applications for use on the City's Web site;
- Provides needed information and demonstrations concerning how to perform certain work tasks to new employees in the same or similar class of positions;
- Keeps immediate supervisor and designated others fully and accurately informed concerning work progress, including present and potential work problems and suggestions for new or improved ways of addressing such problems;
- Attends meetings, conferences, workshops and training sessions and reviews publications and audio-visual materials to become and remain current on the principles, practices and new developments in assigned work areas;
- Communicates and coordinates regularly with appropriate others to maximize the effectiveness and efficiency of interdepartmental operations and activities;
- Performs other directly related duties consistent with the role and function of the classification.

Required Knowledge, Skills and Abilities

- Comprehensive knowledge of all facets of Web site development.
- Comprehensive knowledge of Web infrastructure and interactive components.
- Ability to translate needs analysis data into formal designs.
- Must be able to effectively and professionally communicate with management, staff, City personnel, including department heads and officials, personnel from agencies the City may be linked to, and outside contractors and vendors, both orally and in writing, using both technical and non-technical language.
- Must demonstrate sound judgement and reasoning skills.
- Ability to define problems, collect data, establish facts, draw valid conclusions and solve problems in a timely and accurate manner.
- Thorough knowledge of relational database concepts and project management.
- Thorough knowledge of office terminology, procedures and equipment;
- Ability to operate a personal computer using standard or customized software applications appropriate to assigned tasks;
- Ability to understand system user problems and needs;
- Ability to develop software customization and programming to enhance user productivity;

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- Ability to understand and follow oral and/or written policies, procedures and instructions;
- Ability to prepare and present accurate and reliable reports containing findings and recommendations;
- Ability to use logical and creative thought processes to develop solutions according to written specifications and/or oral instructions;
- Ability to perform a wide variety of duties and responsibilities with accuracy and speed under the pressure of time-sensitive deadlines;
- Ability and willingness to quickly learn and put to use new skills and knowledge brought about by rapidly changing information and/or technology;
- Integrity, ingenuity and inventiveness in the performance of assigned tasks.

Acceptable Experience and Training

- Graduation from an accredited college or university with a Bachelor's Degree in Computer Science; and
- Extensive experience in Web site design and development; or
- Any equivalent combination of experience and training which provides the knowledge, skills and abilities necessary to perform the work.

Required Special Qualifications

- None.

Essential Physical Abilities

- Sufficient clarity of speech and hearing or other communication capabilities, with or without reasonable accommodation, which permits the employee to communicate effectively.
- Sufficient vision or other powers of observation, with or without reasonable accommodation, which permits the employee to review a wide variety of materials in electronic or hardcopy form.
- Sufficient manual dexterity with or without reasonable accommodation, which permits the employee to operate personal computers and related equipment.
- Sufficient personal mobility and physical reflexes, with or without reasonable accommodation, which permits the employee to perform timely Web maintenance and to function within the general office environment.

Approved by: _____ Date: _____

Established: _____

City of Manchester New Hampshire

In the year Two Thousand and Six

AE

AN ORDINANCE

“Amending Sections 33.024, 33.025, & 33.026 (Systems/Programming Manager-Systems/Development Manager, Computer Programmer-Applications Developer/Analyst) of the Code of Ordinances of the City of Manchester.”

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester, as follows:

SECTION 33.024 CLASSIFICATION OF POSITIONS be amended as follows:

Delete Systems/Programming Manager, Class Code 2210
Establish Systems/Development Manager, Class Code 2210

Delete Computer Programmer, Class Code 2180
Establish Applications Developer/Analyst, Class Code 2180

SECTION 33.025 COMPENSATION OF POSITIONS be amended as follows:

Delete Systems/Programming Manager, Class Code 2210, Grade 23
Establish Systems/Development Manager, Class Code 2210, Grade 23

Delete Computer Programmer, Class Code 2180, Grade 18

Establish Applications Developer/Analyst, Class Code 2180, Grade 19

SECTION 33.026 CLASS SPECIFICATIONS be amended as follows

Change Class Specification for Systems/Programming Manager to Systems/Development Manager, Class Code 2210, Grade 23, exempt (see attachment)

Change Class Specification for Computer Programmer to Applications Developer/Analyst, Class Code 2180, Grade 19 non-exempt (see attachment)

This Ordinance shall take effect upon its passage and all Ordinances or parts of Ordinances inconsistent therewith are hereby repealed.

AE



City of Manchester, New Hampshire

Class Specification

This is a class specification and not an individualized job description. A class specification defines the general character and scope of responsibilities of all positions in a job classification, but it is not intended to describe and does not necessarily list every duty for a given position in a classification.

Class Title	Systems/Programming Manager	
Class Title	Systems/Development Manager	
Class Code Number	2210-23	

General Statement of Duties

Manages and supervises ~~computer programming, computer operations, systems analysis~~ applications development/analysis, Web services administration, GIS services administration and computer operations staff, and related functions; performs related work as required.

Distinguishing Features of the Class

The principal function of an employee in this class is to ensure computer applications operate in service of City Departments. The work is performed under the supervision and direction of the Information Services Director but extensive leeway is granted for the exercise of independent judgement and initiative. Supervision is exercised over the work of employees in the class of Computer Operator I and II, ~~Computer Programmer, Computer Programmer/Analyst~~ Applications Developer/Analyst, Senior Applications Developer/Analyst, Web Services Administrator, GIS Services Administrator and related technical personnel. The nature of the work performed requires that an employee in this class establish and maintain effective working relationships with other information technology personnel, other City employees, technical vendors and the public. The principal duties of this class are performed in a general office environment.

Examples of Essential Work
(illustrative only)

- Supervises application development, Web administration, GIS administration and operations staff, including coordinating data processing, reviewing applications and support requests, assigning work to staff, testing data to ensure program integrity and providing technical advice to staff as necessary;
- Serves as the City's project manager for the implementation and administration of City-wide systems, including coordinating training; monitoring, scheduling and implementing software revisions; problem resolution with vendors and users; overseeing transfer of information and service delivery from existing systems to new systems; and developing programs to extract information from existing systems as necessary;
- Maintains systems software, including operating systems, databases, compilers and utilities;
- Inspects, evaluates, determines and diagnoses systems failures and initiates corrective processes;
- Directs, implements and oversees maintenance and repair procedures on systems and equipment;
- Prepares plans, technical reports, statistical data and records on systems use;
- Writes detailed technical specifications for proposals and bids, evaluates proposals and administers contracts;
- Participates in the development of policies and procedures relating to the security of microcomputers, network applications and disaster recovery;
- Prepares budget for assigned area;
- Maintains and modifies vendor software packages;
- Analyzes, reviews, writes and/or rewrites programs for new requirements or to increase operational efficiency;
- Designs procedure, operation and user manuals and provides subsequent training;
- Applies expert systems analysis and design techniques to complex system development in a broad or specialized design area and/or resolves unique or unyielding problems in existing systems by applying new technology;
- Designs and monitors necessary testing and implementation plans;
- Performs other duties of technical analytical personnel as necessary;
- Provides needed information and demonstrations concerning how to perform certain work tasks to new employees in the division;
- Keeps immediate supervisor and designated others fully and accurately informed concerning work progress, including present and potential work problems and suggestions for new or improved ways of addressing such problems;
- Attends meetings, conferences, workshops and training sessions and reviews publications and audio-visual materials to become and remain current on the principles, practices and new developments in assigned work areas;

- Responds to questions and comments from City department heads and other users in a courteous and timely manner;
- Communicates and coordinates regularly with appropriate others to maximize the effectiveness and efficiency of interdepartmental operations and activities;
- Performs other directly related duties consistent with the role and function of the classification.

Required Knowledge, Skills and Abilities (at time of appointment)
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- Comprehensive knowledge of assigned system needs, including user requirements, priorities, and interests;
- Comprehensive knowledge of City computing resources and related networks;
- Comprehensive knowledge of computer application design and programming practices and procedures;
- Comprehensive knowledge of computer system programming languages used by the City;
- Comprehensive knowledge of data processing practices and procedures;
- Comprehensive knowledge of data processing troubleshooting principals and practices;
- Comprehensive knowledge of computer equipment application software and operating systems;
- Comprehensive knowledge of information technology system concepts;
- Comprehensive knowledge of computer terminal usage;
- Ability to analyze and comprehend various administrative and business operations and to apply computer technology to those operations;
- Ability to provide expertise on application software, computer languages and operating systems;
- Ability to train, supervise, evaluate and coordinate the work of others;
- Ability to establish and maintain effective working relationships with associates, City employees and outside vendors;
- Ability to understand and adapt to different governmental business activities easily;
- Ability to analyze and understand user needs underlying assigned system development requests;
- Ability to communicate effectively with others, both orally and in writing, using both technical and non-technical language;
- Ability to understand and follow oral and/or written policies, procedures and instructions;
- Ability to prepare and present accurate and reliable reports containing findings and recommendations;
- Ability to operate a personal computer using standard or customized software applications appropriate to assigned tasks;
- Ability to use logical and creative thought processes to develop solutions according to written specifications and/or oral instructions;
- Ability to perform a wide variety of duties and responsibilities with accuracy and speed under the pressure of time-sensitive deadlines;
- Ability and willingness to quickly learn and put to use new skills and knowledge brought about by rapidly changing information and/or technology;

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- Integrity, ingenuity and inventiveness in the performance of assigned tasks.

Acceptable Experience and Training

- Graduation from an accredited college or university with a Bachelors Degree in Computer Science or related field; and
- Considerable experience in developing and maintaining computer programs and applications; or
- Any equivalent combination of experience and training which provides the knowledge, skills and abilities necessary to perform the work.

Required Special Qualifications

- None.

Essential Physical Abilities

- Sufficient clarity of speech and hearing or other communication capabilities, with or without reasonable accommodation, which permits the employee to communicate effectively;
- Sufficient vision or other powers of observation, with or without reasonable accommodation, which permits the employee to review a wide variety of materials in electronic or hardcopy form;
- Sufficient manual dexterity with or without reasonable accommodation, which permits the employee to access computer program information and to operate related equipment;
- Sufficient personal mobility and physical reflexes, with or without reasonable accommodation, which permits the employee to transport assigned equipment as necessary to perform timely computer program review and troubleshooting procedures, and to function within the general office environment.

Approved by:_____ Date:_____

AE



City of Manchester, New Hampshire

Class Specification

This is a class specification and not an individualized job description. A class specification defines the general character and scope of responsibilities of all positions in a job classification, but it is not intended to describe and does not necessarily list every duty for a given position in a classification.

Class Title	Applications Developer/AnalystComputer Programmer
Class Code Number	21800-1819

General Statement of Duties

Develop, deploy, and support Information Technology (I.T.) business software applicationsPrograms Information Technology (I.T.) applications; performs directly related work as required.

Distinguishing Features of the Class

The principal function of an employee in this class is to develop, deploy, and support business software applications to meet business objectives to program software systems to meet user needs. "Develop" means to analyze needs, determine best approach, design (program) new applications, configure vendor-supplied applications, and provide post-deployment support and maintenance.- The work is performed under the supervision and direction of the Senior Applications Developer/Analyst the Computer Programmer/Analyst and the Systems/Programming Manager but considerable leeway is granted for the exercise of independent judgement and initiative. The nature of the work performed requires that an employee in this class establish and maintain effective working relationships with other information technology personnel, other City employees, technical vendors and the public. The principal duties of this class are performed in a general office environment.

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Examples of Essential Work
(illustrative only)

- Applies appropriate application development standard programming procedures and detailed knowledge of pertinent subject matter in an assigned programming area;
- Designs, writes software ~~Develops, codes and tests~~ computer applications and related software systems;
- Designs and deploys computer applications as assigned, interacting with users or based on supervisor direction;
- Tests application program components to meet system design requirements;
- Provides technical support on application software programming systems and related business issues to City department personnel;
- Acts as technical liason/advocate for City users to third-party software vendors;
- Recognizes probable interactions of related software systems ~~other related programs~~ with assigned projects/programs and is familiar with current computing systems, software environments, infrastructure, and equipment currently in use by the City ~~related system software and computer equipment~~;
- Solves conventional programming and development problems;
- Participates in system design and testing for new or modified systems in coordination with the Senior Applications Developer/Analyst ~~Computer Programmer/Analyst~~;
- Performs troubleshooting, and file recovery, and debugging as needed;
- Coordinates project activities with other City personnel involved in information services activities;
- Participates in training programs;
- Prepares progress reports and other documents in conformance with assigned procedures;
- Provides needed information and demonstrations concerning how to perform certain work tasks to new employees in the department;
- Keeps immediate supervisor and designated others fully and accurately informed concerning work progress, including present and potential work problems and suggestions for new or improved ways of addressing such problems;
- Attends meetings, conferences, workshops and training sessions and reviews publications and audio-visual materials to become and remain current on the principles, practices and new developments in assigned work areas;
- Responds to questions and comments from City department heads and other users in a courteous and timely manner;
- Communicates and coordinates regularly with appropriate others to maximize the effectiveness and efficiency of interdepartmental operations and activities;
- Performs other directly related duties consistent with the role and function of the classification.

AE

Required Knowledge, Skills and Abilities
(at time of appointment)

- Thorough knowledge of assigned system and application program needs, including design concepts, and user requirements;
- Thorough knowledge of City computing resources, and related networks, and policies;
- Thorough knowledge of software development environments, tools, languages, and resources in use ~~a wide variety of computer system programming languages used by the City;~~
- Thorough knowledge of computer application design and programming practices and procedures;
- Thorough knowledge of information technology practices, and procedures, trends, and principles;
- Thorough knowledge of the operation of centralized and workstation ~~micro-computer~~ equipment and software;
- Thorough knowledge of application software troubleshooting principles techniques and practices;
- Thorough ~~Substantial~~ knowledge of relational database terminology, design, usage, security, operation, maintenance and querying ~~(including SQL);~~
- Thorough knowledge of Structured Query Language (SQL) and database management system (DBMS) capabilities;
- Substantial knowledge of computing and application architecture methodologies (including but not limited to web-based, fat client, client-server, n-tier design);
- Substantial knowledge of project management principles and techniques;
- Substantial knowledge of extensible markup language (XML), hypertext markup language (HTML), and scripting languages;
- Ability to create efficient codes to accomplish system design and program performance objectives;
- Ability to communicate effectively with others, both orally and in writing, using both technical and non-technical language as required by the situation;
- Ability to understand and follow oral and/or written policies, procedures and instructions;
- Ability to prepare and present accurate and reliable reports containing findings and recommendations;
- Ability to operate a ~~personal~~-computer using standard or customized software applications appropriate to assigned tasks;
- Ability to fully understand various integrated development environments, programming languages, algorithms, and techniques ~~various programming languages;~~
- Ability to use logical and creative thought processes to develop solutions according to written specifications and/or oral instructions;
- Ability to perform a wide variety of duties and responsibilities with accuracy and speed under the pressure of time-sensitive deadlines;
- Ability and willingness to quickly learn and put to use new skills and knowledge brought about by rapidly changing information and/or technology;

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- Integrity, ingenuity and inventiveness in the performance of assigned tasks.

Acceptable Experience and Training

- Graduation from an accredited college or university with a Bachelors Degree in Computer Science; and
- Considerable experience in developing, designing, deploying and supporting business software and maintaining computer programs and applications; or
- Any equivalent combination of experience and training which provides the knowledge, skills and abilities necessary to perform the work.

Required Special Qualifications

- None.

Essential Physical Abilities

- Sufficient clarity of speech and hearing or other communication capabilities, with or without reasonable accommodation, which permits the employee to communicate effectively;
- Sufficient vision or other powers of observation, with or without reasonable accommodation, which permits the employee to review a wide variety of materials in electronic or hardcopy form;
- Sufficient manual dexterity with or without reasonable accommodation, which permits the employee to access computer program information and to operate related equipment;
- Sufficient personal mobility and physical reflexes, with or without reasonable accommodation, which permits the employee to transport assigned equipment as necessary to perform timely computer program review and troubleshooting procedures, and to function within the general office environment.

Approved by: _____ Date: _____

AE

City of Manchester
New Hampshire

In the year Two Thousand and Six

AN ORDINANCE

“Amending Sections 33.024, 33.025, & 33.026 (Senior Applications Developer/Analyst) of the Code of Ordinances of the City of Manchester.”

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester, as follows:

SECTION 33.024 CLASSIFICATION OF POSITIONS be amended as follows:

Change Classification for Computer Programmer/Analyst to Senior Applications Developer/Analyst, Class Code 2190, no change in Class Code

SECTION 33.025 COMPENSATION OF POSITIONS be amended as follows:

Change Computer Programmer/Analyst to Senior Applications Developer/Analyst, Class Code 2190, Grade 21, no change in Grade

SECTION 33.026 CLASS SPECIFICATIONS be amended as follows

Change Class Specification for Computer Programmer/Analyst to Senior Applications Developer/Analyst, Class Code 2190, Grade 21, exempt

This Ordinance shall take effect upon its passage and all Ordinances or parts of Ordinances inconsistent therewith are hereby repealed.



City of Manchester, New Hampshire

Class Specification

This is a class specification and not an individualized job description. A class specification defines the general character and scope of responsibilities of all positions in a job classification, but it is not intended to describe and does not necessarily list every duty for a given position in a classification.

Class Title	<u>Senior Applications Developer/Analyst</u> <u>Computer Programmer/Analyst</u>
Class Code Number	<u>2190-2221902195</u>

General Statement of Duties

Designs information technology systems and develops specifications for design, implementation and support of computer software; maintains and enhances computer software systems; performs related work as required.

Distinguishing Features of the Class

The principal function of an employee in this class is to coordinate the development, deployment, and supporting of business software applications to meet business objectives. "Develop" means to analyze needs, determine best approach, design (program) new applications, configure vendor-supplied applications, and provide post-deployment support and maintenance. Coordination principally involves supervising the work of other Application Developer/Analysts and but also includes working with all City Information Technology staff and business software users. The principal function of an employee in this class is to design and maintain software systems to meet user needs.—The work is performed under the supervision and direction of the Systems/Programming Manager but considerable leeway is granted for the exercise of independent judgement and initiative. Supervision is exercised over the work of employees in the class of Computer Programmer. The nature of the work performed requires that an employee in this class establish and maintain effective working relationships with other information technology personnel, other City employees, technical vendors and the public. The principal duties of this class are performed in a general office environment.

AE

**Examples of Essential Work
(illustrative only)**

- Applies expert systems analysis and design techniques to complex system development in a broad or specialized design area and/or resolves unique or unyielding problems in existing systems by applying new technology;
- Designs and monitors necessary testing and implementation plans;
- Writes, tests, debugs and implements new computer software;
- Coordinates employee user training activities;
- Supervises the activities of applications programming-development personnel, including prioritizing work, providing technical advice and reviewing completed work for correctness and compliance with all applicable standards;
- Identifies problems and specific issues in assigned area and prepares overall project recommendations from an information technology standpoint, including feasible advancements in technology;
- ☐ ~~Applies standard programming procedures and detailed knowledge of pertinent subject matter in an assigned programming area;~~
- ☐ ~~Develops, codes and tests computer applications and related software systems;~~
- ☐ ~~Designs computer applications as assigned, interacting with users or based on supervisor direction;~~
- ☐ ~~Tests program components to meet system design requirements;~~
- ☐ ~~Provides technical support on programming systems and related business issues to City department personnel;~~
- ☐ ~~Recognizes probable interactions of other related programs with assigned programs and is familiar with related system software and computer equipment;~~
- ☐ ~~Solves conventional programming problems;~~
- Applies appropriate application development procedures and detailed knowledge of pertinent subject matter in an assigned programming area;
- Designs, writes software, and tests computer applications and related software systems;
- Designs and deploys computer applications as assigned, interacting with users or based on supervisor direction;
- Tests application components to meet system design requirements;
- Provides technical support on application software systems and related business issues to City department personnel;
- Acts as technical liason/advocate for City users to third-party software vendors;

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- Recognizes probable interactions of related software systems with assigned projects and is familiar with current computing systems, software environments, infrastructure, and equipment currently in use by the City;
- Solves conventional programming and development problems;
- Participates in system design and testing for new or modified systems in coordination with the other Applications Developer/Analysts;
- Performs troubleshooting, file recovery, and debugging as needed;
- ☐ ~~Performs troubleshooting and file recovery as needed;~~
- Coordinates project activities with other City personnel involved in information services activities;
- Participates in training programs;
- Prepares progress reports and other documents in conformance with assigned procedures;
- Provides needed information and demonstrations concerning how to perform certain work tasks to new employees in the department;
- Keeps immediate supervisor and designated others fully and accurately informed concerning work progress, including present and potential work problems and suggestions for new or improved ways of addressing such problems;
- Attends meetings, conferences, workshops and training sessions and reviews publications and audio-visual materials to become and remain current on the principles, practices and new developments in assigned work areas;
- Responds to questions and comments from City department heads and other users in a courteous and timely manner;
- Communicates and coordinates regularly with appropriate others to maximize the effectiveness and efficiency of interdepartmental operations and activities;
- Performs other directly related duties consistent with the role and function of the classification.

Required Knowledge, Skills and Abilities
(at time of appointment)

- Thorough knowledge of the operation of centralized and micro-computer equipment and software;
- Thorough knowledge of assigned system and application needs, including user requirements, priorities and interests;
- Thorough knowledge of City computing resources and related networks, and policies;
- Thorough knowledge of computer application design and programming practices and procedures;
- Thorough knowledge of ~~computer system programming languages~~ software development environments, tools, languages, and resources used by the City;
- Thorough knowledge of information technology practices ~~and~~ procedures, trends, and principles;
- Thorough knowledge of application software troubleshooting principles and practices;
- Thorough knowledge of computer equipment application software and operating systems;
- Thorough knowledge of information technology system concepts;

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☐ Thorough knowledge of computer terminal usage;

Thorough knowledge of relational database terminology, design, usage and querying (including SQL);

- Thorough knowledge of Structured Query Language (SQL) and database management system (DBMS) capabilities, terminology, design, usage, and querying;
- Thorough knowledge of computing and application architecture methodologies (including but not limited to web-based, fat client, client-server, n-tier design);
- Substantial knowledge of project management principles and techniques;
- Substantial knowledge of extensible markup language (XML), hypertext markup language (HTML), and scripting languages;
- Ability to analyze and comprehend various administrative and business operations and to apply computer technology to those operations;
- Ability to understand various integrated development environments, programming languages, algorithms, and techniques;
- Ability to provide expertise on application software, computer languages and operating systems;
- Ability to establish and maintain effective working relationships with associates, City employees and outside vendors;
- Ability to understand and adapt to different governmental business activities easily;
- Ability to analyze and understand user needs underlying assigned system development requests;
- Ability to communicate effectively with others, both orally and in writing, using both technical and non-technical language;
- Ability to understand and follow oral and/or written policies, procedures and instructions;
- Ability to prepare and present accurate and reliable reports containing findings and recommendations;
- Ability to operate a personal computer using standard or customized software applications appropriate to assigned tasks;
- Ability to use logical and creative thought processes to develop solutions according to written specifications and/or oral instructions;
- Ability to perform a wide variety of duties and responsibilities with accuracy and speed under the pressure of time-sensitive deadlines;
- Ability and willingness to quickly learn and put to use new skills and knowledge brought about by rapidly changing information and/or technology;
- Integrity, ingenuity and inventiveness in the performance of assigned tasks.

Acceptable Experience and Training

- Graduation from an accredited college or university with a Bachelors Degree in Computer Science or related field; and
- Extensive/Considerable experience in, designing, deploying and supporting business software-developing and maintaining computer programs and applications; or
- Any equivalent combination of experience and training which provides the knowledge, skills and abilities necessary to perform the work.

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Required Special Qualifications

- None.

Essential Physical Abilities

- Sufficient clarity of speech and hearing or other communication capabilities, with or without reasonable accommodation, which permits the employee to communicate effectively;
- Sufficient vision or other powers of observation, with or without reasonable accommodation, which permits the employee to review a wide variety of materials in electronic or hardcopy form;
- Sufficient manual dexterity with or without reasonable accommodation, which permits the employee to access computer program information and to operate related equipment;
- Sufficient personal mobility and physical reflexes, with or without reasonable accommodation, which permits the employee to transport assigned equipment as necessary to perform timely computer program review and troubleshooting procedures, and to function within the general office environment.

Approved by: _____

Date: _____

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To the Board of Mayor and Aldermen of the City of Manchester:


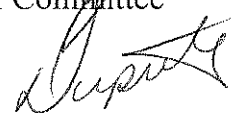
The Committee on Human Resources/Insurance respectfully advises, after due and careful consideration, that it has approved Ordinance:

“Amending Section 33.062 (D), Part-Time Employees, of the Code of Ordinances of the City of Manchester.”

establishing minimum hours for part time employees relating to the retirement and health insurance program as enclosed herein, and recommends same be referred to the Committee on Bills on Second Reading for technical review.

Aldermen Gatsas, Shea, Pinard, Duval in favor; Alderman Garrity absent.

Respectfully submitted,


Clerk of Committee


City of Manchester New Hampshire

In the year Two Thousand and six

AN ORDINANCE

"Amending Section 33.062 (D), Part-Time Employees, of the Code of Ordinances of the City of Manchester."

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester, as follows:

I. Amend Section 33.062 (D) Part-Time Employees, of the Code of Ordinances of the City of Manchester by deleting language stricken (---) and inserting new language as bolded (**bold**). Language of Section 33.062 (D) not struck through or bolded remains unchanged.

§ 33.062 (D) PART-TIME EMPLOYEES

(D) An employee who is employed to work thirty-two hours per week in a position that does not have an end date, shall be required to participate in the Contributory Retirement System unless the position is designated as a Group II position. (Current part-time employees who are working less hours, and who are currently contributing to the Contributory Retirement System, may continue to so.) Said employees shall be eligible to participate in the health insurance program upon retirement.

II. This Ordinance shall take effect upon its passage and all Ordinances or parts of Ordinances inconsistent therewith are hereby repealed.

AF



CITY OF MANCHESTER

Human Resources Department

One City Hall Plaza
Manchester, New Hampshire 03101
Tel: (603) 624-6543 (V/TTY) • Fax: (603) 628-6065
www.ManchesterNH.gov



July 25, 2006

Alderman Ted Gatsas, Chairman
Human Resource and Insurance Committee
City of Manchester
One City Hall Plaza
Manchester, New Hampshire 03101

Re: Items 9 and 10 on the Agenda

Dear Alderman Gatsas and Members of the Committee:

There are two items on the Agenda that can be addressed by passing the attached Ordinance. Specifically, Item 9 was proposed originally to prohibit part time employees from being able to enroll in our health insurance program upon retirement. Item 10, was tabled at our last meeting. This Item was proposed to establish the minimum number of hours a part time employee must work in order to participate in the Contributory Retirement System.

After our last meeting, it was pointed out to me that it would be improper to prohibit current part time employees who are contributing to the Retirement System from purchasing health insurance upon retirement. Current part time employees are required to contribute five percent (5%) of their earnings as are full time employees. This contribution increased from 3.5 % to 5% as of July 1, 2006 for the purpose of contributing to the health insurance subsidy. Since the part time employees are contributing to the health insurance subsidy, it would be improper to prohibit them from being able to purchase the health insurance at retirement.

The enabling legislation for the Manchester Contributory Retirement System, provides for participation in that system for both full time and part time employees. It is up to the City to determine how many hours a part time employee must work in order to participate. As per the Human Resource and Insurance Committee's request, I was instructed to find out how many hours other cities and towns require part time employees to work in order to participate in their retirement programs. According to what I have learned, if they choose to provide retirement, the other cities and towns participate in the State Retirement System. The State Retirement System will not let anyone participate unless they are a full time employee.

AF

Alderman Ted Gatsas

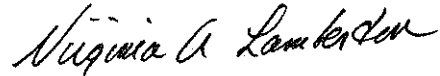
- 2 -

July 25, 2006

In consideration of all of the information above, it is my recommendation to add Section (D) to the current Ordinance 33.062. This would make it clear as to how many hours a part time employee must work (prospectively) in order to participate in the Contributory Retirement System and thus the health insurance upon retirement.

Your favorable approval of the attached Ordinance would be greatly appreciated.

Respectfully submitted,



Virginia A. Lamberton
Human Resources Director

Attachment

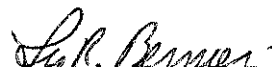
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To the Board of Mayor and Aldermen of the City of Manchester:

The Committee on Joint School Buildings respectfully advises, after due and careful consideration, that it has accepted the School Facilities Improvement Project Report for the month of August 2006 and is forwarding same to the Board for informational purposes.

(School Committee Members Beaudry and Gelinas, Aldermen Thibault, Roy and Long voted yea; School Committee Member Herbert was absent.)

Respectfully submitted,



Clerk of Committee



AG

Monthly Report – August 2006

City of Manchester
Joint School Building Committee Meeting: August 22, 2006
School Facilities Improvement Project

1.0 Budget:

- Budget overview summary attached

2.0 Schedule:

- Project schedule overview attached.

Activity Summary:

Construction activity has been on day-shift hours. Central High School, Memorial High School classroom addition, Southside Middle School and Hillside Middle School classroom additions were all in full use by students and faculty (last year) and continue to have ongoing punchlist activities. Most schools have undergone a majority of the punchlist process with miscellaneous isolated interior spaces and exterior (roof, site restoration, etc.) remaining. Contractors continue to work on miscellaneous punchlist items. The Design-Builder and associated contractors also continue to work on more global Program-Wide items such as HVAC system noise mitigation, door hardware issues and rooftop ductwork and have made limited progress. There is ongoing training sessions with the appropriate City personnel for new building systems and components.

3.0 Previous Months' Progress (06 July 06 – 16 August 06):

High Schools

- West High School
 - MEP Work Nearly Complete
 - Roof Duct Tie-down Installation Complete
 - Fintube Radiation Replacement Complete
 - Punchlist
- Memorial High School
 - Interior Renovation MEP Nearly Complete
 - Ceiling Tile Installation Ongoing
 - Punchlist
- Central High School and MST
 - Punchlist

Middle Schools

- Hillside Middle School
 - Final MEP Nearly Complete
 - Final HRU Installation Ongoing
 - Punchlist
- Southside Middle School
 - Final MEP Nearly Complete
 - Punchlist
- Parkside Middle School
 - Punchlist

Elementary Schools

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- Wilson Elementary School
 - MEP Installation Ongoing
 - Interior Painting Nearly Complete
 - Exterior Door Installation Nearly Complete
 - Punchlist
- Beech Street Elementary School
 - MEP Installation Nearly Complete
 - Exterior Grate Infill Installation Complete
 - Exterior Canopy Replacement Complete
 - Rubber Stair Installation Work Ongoing
 - Punchlist
- Hallsville
 - MEP Installation Complete
 - Door Installation Nearly Complete
 - Punchlist
- Bakersville Elementary School
 - Punchlist
- Green Acres Elementary School
 - Roof Replacement Ongoing
- Gossler Park Elementary School, Jewett Street Elementary School, Smyth Road Elementary School, Webster Elementary School, McDonough Elementary School, Parker Varney, and Weston Elementary School
 - Punchlist
- Safety Meetings Ongoing
- Ongoing Weekly Project Status Meetings
- OCIP Ongoing
- Manchester Resident Employment Report (attached)

4.0 Upcoming Activities (17 August 06 – 20 September 06):

High Schools

- West High School
 - MEP Work Completion
 - Punchlist
- Memorial High School
 - MEP Interior Renovations Continues
 - Punchlist
- Central High School and MST
 - Punchlist

Middle Schools

- Hillside Middle School
 - Final MEP Nearing Completion
 - Final HRU Installation Completion
 - Roof Duct Tie-down Work Completion
 - Punchlist



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- Southside Middle School
 - Final MEP Nearing Completion
 - Roof Duct Tie-down Work Completion
 - Punchlist
- Parkside Middle School
 - Punchlist

Elementary Schools

- Wilson Elementary School
 - Final MEP Ongoing
 - Interior Painting Completion
 - Flooring Work Nearing Completion
 - Exterior Door Installation Nearing Completion
- Beech Street Elementary School
 - MEP Installation Nearing Completion
 - Rubber Stair Installation Completion
 - New Bleacher Installation to Commence
 - Punchlist
- Hallsville
 - Door Installation Nearly Complete
 - Punchlist
- Bakersville Elementary School
 - Door Replacement to Commence
 - Punchlist
- Green Acres Elementary School
 - Roof Replacement Nearing Completion
- Gossler Park Elementary School, Jewett Street Elementary School, Smyth Road Elementary School, Webster Elementary School, McDonough Elementary School, Parker Varney Elementary School, Weston Elementary School and Highland Goffs Falls Elementary School
 - Punchlist
- Northwest Elementary School
 - Substantial Completion
- OCIP Continues

5.0 Critical Issues:

- Punchlisting

6.0 New Issues:

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7.0 Progress Photos

Mid July to Mid August

Beech Street New Entrance Canopy



Beech Street New Rubber Stair Installation





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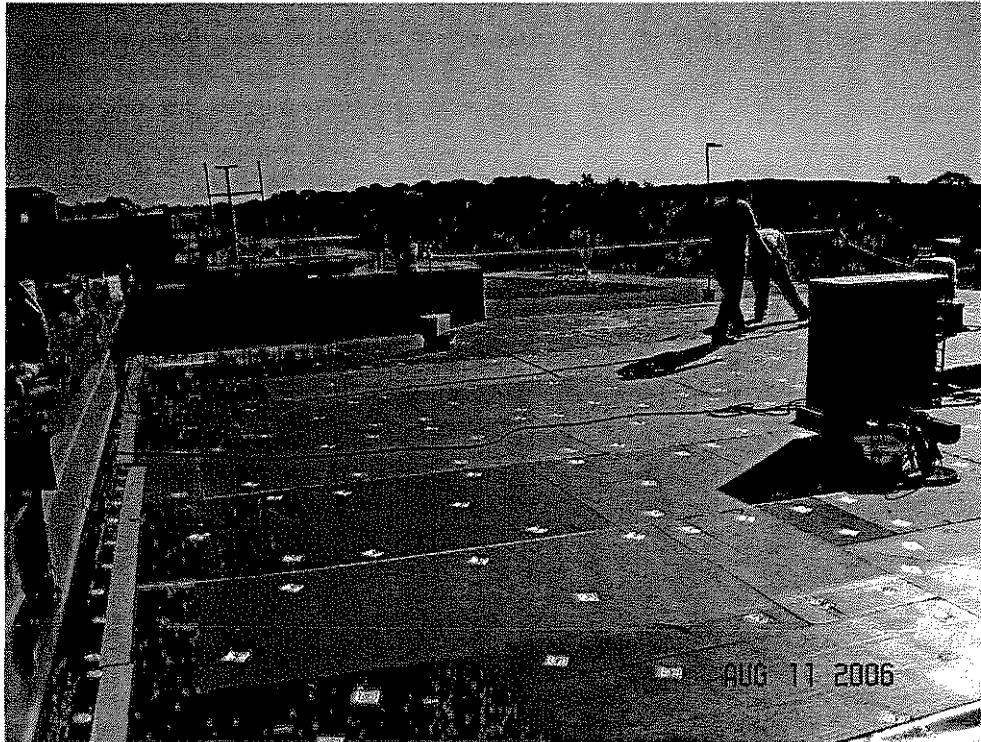
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Green Acres Roof Replacement





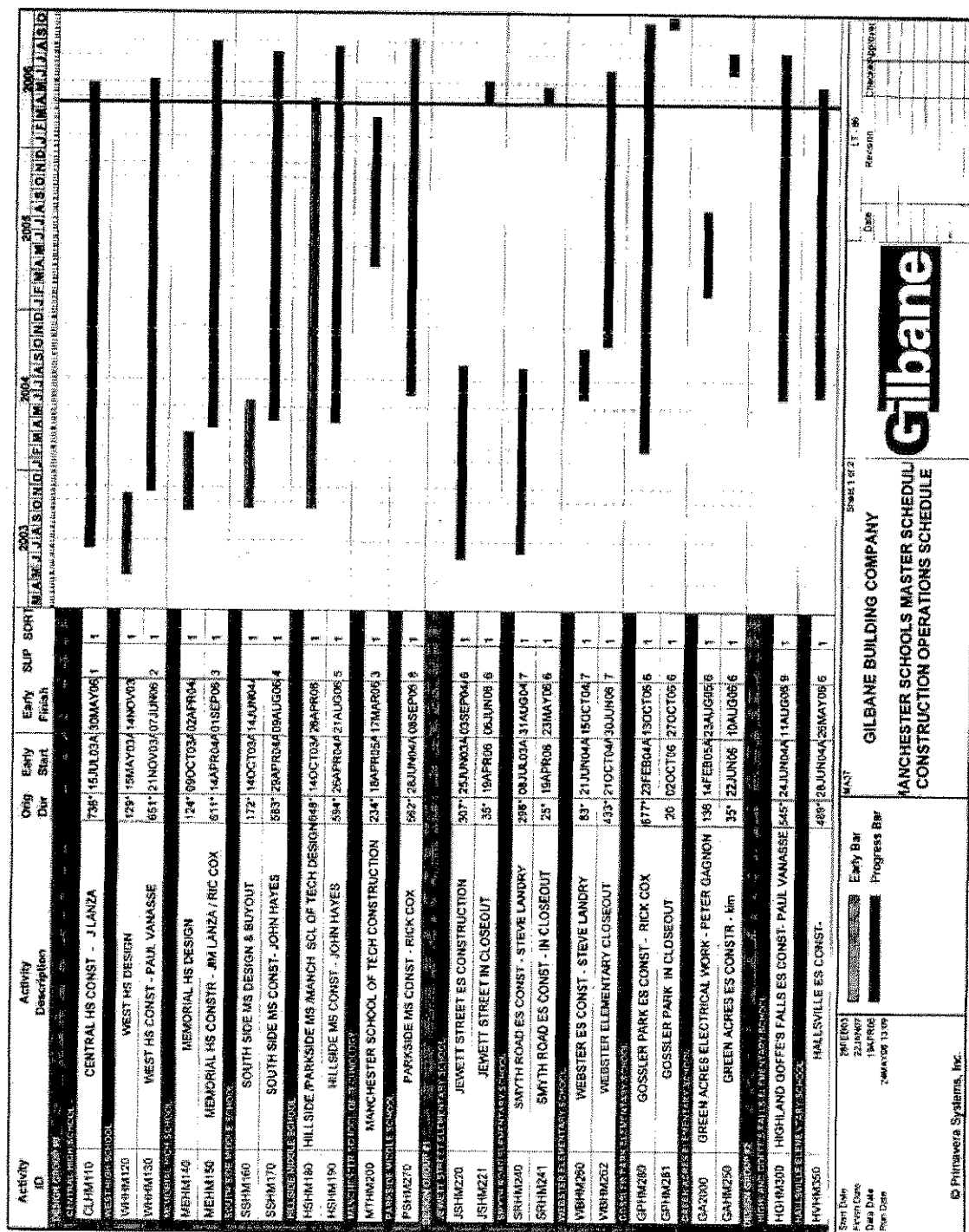
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JOINT SCHOOL BUILDING COMMITTEE					
HIGHWAY DEPARTMENT / PROJECT FINANCIAL REPORT					
17-Aug-06					
DESIGN/BUILD/FINANCE SCHOOL IMPROVEMENT PROGRAM - Project #310303					
BUDGET	FUNDING		SOURCE:		Bond
	FY03 CIP		School Revenue Bond		\$101,410,000
	FY03 CIP		Gen.Obligation Bond		\$3,590,000
	FY03 CIP		Earned Interest		\$3,995,000
109,247,719	FY05		School Admin.Funding		\$252,719
AUTHORIZED VENDOR DESCRIPTION AND APPROVAL DATE	BUDGET	AMOUNT ENCUMBERED	PERCENT COMPLETE	AMOUNT EXPENDED	RETAINAGE HELD
INSURANCE & LEGAL					
Arthur J. Gallagher & Co.					
Insurance Administrative & Broker Services	\$250,000.00	\$0.00	100%	\$250,000.00	
Primary Insurance of \$25,000,000	\$265,000.00	\$0.00	100%	\$265,000.00	
Excess Insurance of \$25,000,000	\$130,000.00	\$0.00	100%	\$130,000.00	
Liberty Mutual Insurance Company					
OCIP Premiums	\$1,479,523.00	\$0.00	100%	\$1,479,523.00	
Workmen's Compensation Premium	\$25,000.00	\$0.00	100%	\$25,000.00	
OCIP Loss Fund	\$286,812.35	\$12,722.40	96%	\$274,089.95	
Fernando Insurance - CHS Statue Insure					
Fernando Insurance - Builders Risk Insurance	\$7,500.00	\$0.00	100%	\$7,500.00	
Fernando Insurance - Builders Risk Insurance	\$26,080.00	\$0.00	100%	\$26,080.00	
Ropes & Gray - Consultant Services					
Ropes & Gray - Consultant Services	\$138,321.64	\$0.00	100%	\$138,321.64	
Albert Risk Management Consultants - OCIP					
Albert Risk Management Consultants - OCIP	\$2,217.75	\$0.00	100%	\$2,217.75	
Insurance & Legal To Date	\$2,610,454.74				
PROGRAM MANAGEMENT					
Program Management Services					
DMJM H&N (See contingency for contract amendment)	\$3,141,000.00	\$0.00	100%	\$3,141,000.00	
OTHER EXPENSES					
Information Systems - Computer equipment & Remote Ser	\$1,009.95	\$0.00	100%	\$1,009.95	
PSNH - West HS 3Phase High Voltage Install	\$5,000.00	\$0.00	100%	\$5,000.00	
PSNH - Central HS 3Phase Primary & Transformer	\$15,205.99	\$0.00	100%	\$15,205.99	
Seacoast Diversified - West HS Strip lead paint	\$4,920.00	\$0.00	100%	\$4,920.00	
CED TwinState - Smyth,Jewet,Gossier Light Fixtures	\$2,815.57	\$0.00	100%	\$2,815.57	
Building Permits	\$753,187.65	\$0.00	100%	\$753,187.65	
United Oil Recovery -Remove oil from CHS tank	\$2,761.25	\$0.00	100%	\$2,761.25	
RPF Associates, Inc. - Dust Settling Testing	\$1,772.50	\$0.00	100%	\$1,772.50	
RPF Associates, Inc. - Lead Paint Testing	\$1,156.24	\$0.00	100%	\$1,156.24	
Alpha Asbestos - Lead Paint Removal West HS Railings	\$2,450.00	\$0.00	100%	\$2,450.00	
Alarmax - Smoke Detectors for Webster	\$669.29	\$0.00	100%	\$669.29	
Highway Dept. - Pavement Patching @ Webster	\$1,975.46	\$0.00	100%	\$1,975.46	
WW Grainger - Portable Blowers for Hillside/Southside She	\$809.56	\$0.00	100%	\$809.56	
Century Mechanical - Southside Shelter Exhaust Fans	\$894.31	\$0.00	100%	\$894.31	
Foley & Buhl Engineering - Hallsville Assessment	\$3,800.00	\$0.00	100%	\$3,800.00	
Damon Insulation Co. - Insulate Rain Leader Southside	\$1,950.00	\$0.00	100%	\$1,950.00	
Alpha Asbestos - Hang Plastic Southside Shelter	\$1,475.00	\$0.00	100%	\$1,475.00	
RPF Associates - Memorial Asbestos Sampling	\$496.00	\$0.00	100%	\$496.00	
RPF Associates - Beech Dust Settling testing	\$3,349.00	\$0.00	100%	\$3,349.00	
Scott Lawson - Beech St. Abatement Consultant	\$1,660.25	\$0.00	100%	\$1,660.25	
Alpha Asbestos - Classical ACM Floor Core samples	\$2,175.00	\$0.00	100%	\$2,175.00	
Wood Science Specialists - CHS-C Flooring	\$1,917.30	\$0.00	100%	\$1,917.30	
Other Expenses To Date	\$811,450.32				

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DESIGN BUILD PROJECT - PAGE 2 OF 4					
AUTHORIZED VENDOR DESCRIPTION AND APPROVAL DATE	BUDGET	AMOUNT ENCUMBERED	PERCENT COMPLETE	AMOUNT EXPENDED	RETAINAGE HELD
Design & Construction Services					
Gilbane Building Company - Base Contract	\$94,900,200.00	\$2,621,617.63	97%	\$92,278,582.37	\$4,682,487.80
Change Orders					
CO#1: Wall System Rev	\$0.00				
CO#2: Cable Reroute	\$0.00				
CO#3: Gym Floor Lines	\$0.00				
CO#4: Jewett Repainting	\$0.00				
CO#5: Middle School Structure	\$0.00				
CO#6: Rebuild Chimneys	\$0.00				
CO#7: Architectural, Painting & Carpentry Changes	\$0.00				
CO#8: CHS-PA Refinish Auditorium Flooring	\$27,648.00	Funding from School District per 6/30/04 MSD Authorization			
CO#9: MHS Stage Rigging and WHS Furniture Move	\$0.00	No Change in Contract Total			
CO#10: Furniture Move at Central	\$12,550.00	Funding from FF&E			
CO#11: HSMS Unsuitable Soils & EBU Rewiring	\$32,724.20	Funding from Contingency			
CO#12 Hillside/Southside MS Stairs & Addition Bathroom	\$325,453.00	Funding from Contingency			
CO#13 Central Intercom/Webster Ceilings	\$16,352.00	Funding from Contingency			
CO#14 Hazmat Removal	\$848,864.12	Funding from Contingency			
CO#15 CHS Bleachers & New Divider	\$187,543.58	Funding from Contingency			
CO#15 WHS Lockers	\$102,600.00	Funding from Contingency			
CO#15 WHS Consumer Science Room	\$52,488.24	Funding from School District per 6/30/04 MSD Authorization			
CO#15 Southside Restore Bleacher Integrity	\$3,888.00	Funding from Contingency			
CO#16 CHS Consumer Science Upgrade	\$81,861.20	Funding from School District per 6/30/04 MSD Authorization			
CO#16 CHS, Parkside Changes	\$7,336.00	Funding from Contingency			
CO#16 Weston Additional Painting	\$37,130.00	Funding from Contingency			
CO#17 CHS, WHS, McDonough, Bakerville, HGF, Pk-V	\$102,150.00	Funding from Contingency			
CO#18 MHS, Beech and West Various Changes	\$7,865.00	Funding from Contingency			
CO#19 MHS, WHS, Hillside, Southside, Hallsville, NW, MST	\$97,236.48	Funding from Contingency			
CO#20 MHS, CHS, Hillside, Southside, Beech	\$93,005.00	Funding from Contingency			
CO#21 MHS, CHS, WHS, Hillside, McDonough, Hallsville, MST	\$78,581.94	Funding from Contingency			
CO#22 CHS, WHS, Hillside, Southside, Parkside, Beech, Weston	\$5,745.00	Funding from Contingency			
CO#23 Beech Bleachers & Stair Treads, Bakesville Chimney Reduction	\$14,297.00	Funding from Contingency			
CO#24 Central, Hallsville, OR on Parkside	\$16,113.00	Funding from Contingency			
Future: MHS Consumer Science Upgrade	\$111,372.00	\$60,000.00	School District Funding per 6/30/04 MSD Authorization		
New Guaranteed Maximum Price (GMP)	\$97,163,003.76		of \$60,000 and \$51,372 FF&E Below		
Program FF&E	\$2,000,000.00				
MHS - Consumer Science Upgrade (And \$60M by MSD)	\$51,372.00	\$51,372.00	0%		
WB Mason - Hillside - Administration	\$44,242.23	\$0.00	100%	\$44,242.23	
WB Mason - Hillside - Classrooms	\$70,195.67	\$0.00	100%	\$70,195.67	
WB Mason - Southside - Administration	\$41,001.89	\$0.00	100%	\$41,001.89	
WB Mason - Southside - Classroom	\$69,325.14	\$0.00	100%	\$69,325.14	
WB Mason - West HS - Administration	\$60,284.88	\$0.00	100%	\$60,284.88	
WB Mason - West HS - Classrooms	\$39,720.54	\$0.00	100%	\$39,720.54	
WB Mason - Central HS - Administration	\$141,151.24	\$0.00	100%	\$141,151.24	
WB Mason - Central HS - Classroom	\$68,362.75	\$0.10	100%	\$68,362.65	
WB Mason - Memorial HS - Classroom	\$98,365.68	\$0.00	100%	\$98,365.68	
WB Mason - Memorial HS - Administration	\$24,948.66	\$0.00	100%	\$24,948.66	
School Furnishings - Cafeteria Tables	\$210,231.10	\$0.00	100%	\$210,231.10	
Central HS - Furniture Move CO#10	\$12,550.00	\$0.00	100%	\$12,550.00	
Union Leader - Central HS - Ad Sidewalk Plow Inv.To Bid	\$65.61	\$0.00	100%	\$65.61	
Howard P. Fairfield - Central HS - Sidewalk Plow	\$71,660.00	\$0.00	100%	\$71,660.00	
Aramark-CHS, MHS, Southside, Hillside - Entrance Mats	\$10,576.23	\$0.00	100%	\$10,576.23	
School District- Reimburse for CHS Portable Bleachers	\$11,700.00	\$0.00	100%	\$11,700.00	
Convergent Media Systems - High School Class TV's	\$46,510.00	\$0.00	100%	\$46,510.00	
Aramark - Floor Machines/Carpet Extractor for additions	\$78,832.00	\$0.00	100%	\$78,832.00	
Ice House Refrigeration - Central Ice Maker	\$2,305.00	\$0.00	100%	\$2,305.00	
Telephone Technologies- MHS & Southside Portables	\$10,166.00	\$0.00	100%	\$10,166.00	
Telephone Technologies- CHS/Hillside/Gr.Across Portable C	\$3,020.00	\$0.00	100%	\$3,020.00	
Interstate Electric - CHS Portable Disconnect FA	\$518.00	\$0.00	100%	\$518.00	
BK Systems - Gr.Across/Hillside Disconnect FA	\$1,859.00	\$0.00	100%	\$1,859.00	
GA Laflamme -Gr.Across Power Portable/Wire FA System	\$11,212.89	\$0.00	100%	\$11,212.89	
Mr. Fix-It - Gr.Across & Hillside Portable Ramps	\$4,990.00	\$0.00	100%	\$4,990.00	
Paul Cloutier - Gr. Acres Portable Sewer, Water, Paving	\$11,000.00	\$0.00	100%	\$11,000.00	



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DESIGN BUILD PROJECT - PAGE 3 OF 4					
AUTHORIZED VENDOR DESCRIPTION AND APPROVAL DATE	BUDGET	AMOUNT ENCUMBERED	PERCENT COMPLETE	AMOUNT EXPENDED	RETAINAGE HELD
Century Mechanical - Gr.Across Portable Plumbing install	\$7,225.00	\$0.00	100%	\$7,225.00	
Information Systems - Printer ,Server & Software	\$20,290.74	\$0.00	100%	\$20,290.74	
Hillyard - Central Safety Cabinets	\$5,025.00	\$0.00	100%	\$5,025.00	
School District - Reimburse Central HS Appliances	\$3,873.91	\$0.00	100%	\$3,873.91	
Pelmac-Gossier Intercom/MHS & Southside Port. Disconnect	\$462.50	\$0.00	100%	\$462.50	
Perkins - Central HS Sterilizer	\$7,609.00	\$0.00	100%	\$7,609.00	
Wards Natural Science -CHS,Southside,Hillside Science B	\$69,130.44	\$6,178.03	91%	\$62,952.41	
Conway Office - Six Copiers	\$83,995.00	\$0.00	100%	\$83,995.00	
Barnstead International - Central HS Distillers	\$9,965.84	\$0.00	100%	\$9,965.84	
Alert Scientific Inc - Central Distiller Installation	\$1,325.00	\$0.00	100%	\$1,325.00	
Decker Inc. - School Floor Savers	\$39,705.02	\$0.00	100%	\$39,705.02	
Delta Education - Central Science Equipment	\$320.38	\$0.00	100%	\$320.38	
Educational Innovations - Central Science Equipment	\$119.19	\$0.00	100%	\$119.19	
Frey Scientific - Hillside & Southside Science Equipment	\$3,490.56	\$0.00	100%	\$3,490.56	
J.Sallase & Sons - Memorial Locker Repairs	\$13,420.00	\$0.00	100%	\$13,420.00	
Nasco - Memorial Art Tables	\$4,744.00	\$0.00	100%	\$4,744.00	
Pasco - Central Science Equipment	\$6,594.27	\$0.00	100%	\$6,594.27	
Sargent-Welch - CHS, MHS & Southside Science Equip.	\$40,810.09	\$3,928.83	90%	\$36,881.26	
Sargent-Welch - CHS & MHS Credit for returned goods	(\$5,429.66)	\$0.00	100%	(\$5,429.66)	
Schiavi-Portable Move Hillside,Gr.Across,Southside&MHS	\$39,354.97	\$0.00	100%	\$39,354.97	
SK Boreal Lab - Central & Southside Science Equipment	\$4,306.59	\$0.00	100%	\$4,306.59	
OfficeMax - Hillside & Southside Projectors	\$1,598.00	\$0.00	100%	\$1,598.00	
Tice Associates - Southside Microscopes	\$9,900.00	\$0.00	100%	\$9,900.00	
Vernier Software & Tech. - Central Science Equipment	\$11,598.23	\$0.00	100%	\$11,598.23	
School Furnishings - McDonough Cafeteria Tables	\$29,100.60	\$0.00	100%	\$29,100.60	
JR Pepper Electric - Reinstall Light Poles MHS Rear	\$7,472.00	\$0.00	100%	\$7,472.00	
Highway-Southside Extend Pkg.Lot&Curb&Remove Decks	\$6,793.67	\$0.00	100%	\$6,793.67	
Home Depot - 4" Lever caps for Portable capoffs	\$15.92	\$0.00	100%	\$15.92	
Evans Line Constructio - Southside Remove transformers	\$2,000.00	\$0.00	100%	\$2,000.00	
Bio-Rad Laboratories - MHS Electrophoresis Station	\$2,371.27	\$0.00	100%	\$2,371.27	
Carolina Biology - MHS Science Equipment	\$6,131.69	\$500.01	92%	\$5,631.68	
Nasco - CHS Art Tables	\$7,945.99	\$0.00	100%	\$7,945.99	
Finn Scientific - MHS Science Equipment	\$46,731.73	\$2,639.80	94%	\$44,091.93	
Southern NH Univ. - CHS Basketball Facility Rental 5x	\$4,050.00	\$0.00	100%	\$4,050.00	
Williams Communications - Beech Intercom System	\$37,839.00	\$0.00	100%	\$37,839.00	
Williams Communications - Parkside Ceiling Speakers	\$3,235.00	\$3,235.00	0%		
WB Mason - Memorial	\$4,015.10	\$0.00	100%	\$4,015.10	
WB Mason - Central	\$7,543.79	\$0.00	100%	\$7,543.79	
WB Mason - Bakersville	\$14,698.19	\$0.00	100%	\$14,698.19	
WB Mason - Beech	\$11,873.47	\$0.00	100%	\$11,873.47	
WB Mason - Green Acres	\$14,306.41	\$0.00	100%	\$14,306.41	
WB Mason - Gossier	\$3,816.40	\$0.00	100%	\$3,816.40	
WB Mason - Hallsville	\$11,208.76	\$0.00	100%	\$11,208.76	
WB Mason - Highland Goffes Falls	\$15,857.85	\$0.00	100%	\$15,857.85	
WB Mason - Jewett	\$3,104.02	\$0.00	100%	\$3,104.02	
WB Mason - McDonough	\$6,143.76	\$0.00	100%	\$6,143.76	
WB Mason - Northwest	\$2,707.09	\$0.00	100%	\$2,707.09	
WB Mason - Parker-Varney	\$17,030.40	\$0.00	100%	\$17,030.40	
WB Mason - Smyth	\$12,501.50	\$499.90	96%	\$12,001.60	
WB Mason - Webster	\$15,776.14	\$0.00	100%	\$15,776.14	
WB Mason - Weston	\$17,626.68	\$0.00	100%	\$17,626.68	
WB Mason - Wilson	\$6,617.93	\$0.00	100%	\$6,617.93	
Apple Computer - Central 6 eMacs/6 HP All-in-One	\$5,669.10	\$5,669.10	0%		
Stateline Sports - Southside & Parkside Volleyball Stands	\$6,100.00	\$0.00	100%	\$6,100.00	
Doty & Sons - Concrete Receptacles	\$30,000.00	\$30,000.00	0%		
WB Mason - Hillside Storage cabinets/Coat trees	\$3,585.06	\$0.00	100%	\$3,585.06	
WB Mason - Southside Storage cabinets/Coat rack	\$2,767.85	\$0.00	100%	\$2,767.85	
Famous Lockers - Memorial Football Lockers	\$20,800.00	\$0.00	100%	\$20,800.00	
Highway Dept. - Southside Repave Parking Lot	\$13,521.15	\$0.00	100%	\$13,521.15	
Traffic Dept. - Post Signs & Stripe Parking Lot	\$1,294.41	\$0.00	100%	\$1,294.41	
Highway Dept. - Hillside Excavate Waterline & Pave Portal	\$276.51	\$0.00	100%	\$276.51	
Penney Fence - Southside Guardrail Relocation	\$1,300.00	\$0.00	100%	\$1,300.00	

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DESIGN BUILD PROJECT - PAGE 4 OF 4					
AUTHORIZED VENDOR DESCRIPTION AND APPROVAL DATE	BUDGET	AMOUNT ENCUMBERED	PERCENT COMPLETE	AMOUNT EXPENDED	RETAINAGE HELD
DRG Construction - Install white boards in grade schools	\$4,095.00	\$0.00	100%	\$4,095.00	
WB Mason - Memorial 5 Shelves	\$1,225.00	\$0.00	100%	\$1,225.00	
WB Mason-Nurse panels CHS, WHS, MHS, Southside, Hillside	\$375.00	\$0.00	100%	\$375.00	
Balance for Future FF&E		\$14,875.98			
Total FF&E Encumbered & Balance	\$2,000,000.00	\$118,898.75		\$1,881,101.25	
CONTINGENCY					
Contingency/JSBC Approved Expenses	\$5,650,000.00				
Parker-Varney & Highland Open Concept Wall Designs \$155,000	\$0.00				
Mountainside Insulation - McDonough Insulate 27 ClsRms	\$4,860.00	\$0.00	100%	\$4,860.00	
Memorial - Guardrail Relocation(PennyFence) Pave (Hwy)	\$6,518.47	\$0.00	100%	\$6,518.47	
Memorial - Replace & Install Two New Boilers	\$320,000.00	\$320,000.00	0%		
Central HS Gymnasium - Painting in CO#21	\$0.00	\$0.00			
Central HS Granite War Memorial	\$25,306.81	\$25,306.81	0%		
Beech Fire Alarm Expansion JSBC 2-21-06	\$115,000.00				
C&M Engineering - Beech Fire Alarm Expansion	\$12,215.00	\$0.00	100%	\$12,215.00	
Union Leader - Beech FA Bid Invitation (2x)	\$359.24	\$0.00	100%	\$359.24	
Spillers Graphics - Beech FA Plans	\$90.36	\$0.00	100%	\$90.36	
G.A. Laflamme - Beech - Fire Alarm Upgrade	\$97,200.00	\$53,520.00	45%	\$43,680.00	\$4,368.00
Balance of Beech Fire Alarm Expansion Authorization		\$5,135.40			
Foley Buhl Roberts - Hallsville Roof Structure Evaluation	\$29,800.00	\$5,780.00	81%	\$24,020.00	
Pelmac - Central Security System Problems	\$14,124.00	\$0.00	100%	\$14,124.00	
Spillers Graphics - Hallsville Clock Tower Roof Plans	\$6.00	\$0.00	100%	\$6.00	
Chris Tartsa - Hallsville Clock Tower Repairs	\$3,900.00	\$0.00	100%	\$3,900.00	
Gerard A. Laflamme - Hallsville Tower/Move Conduits	\$350.00	\$0.00	100%	\$350.00	
Union Leader - Hallsville Roof Structure Prequal Contractors	\$393.21	\$0.00	100%	\$393.21	
Beech - New metal sign & aluminum storefront entrance	\$16,373.00	\$16,373.00	0%		
Memorial - New Storage Lockers for Band Instruments	\$26,587.05	\$26,587.05	0%		
The Grout Guy - Bakersville - Regrout Hallway Tile	\$8,400.00	\$0.00	100%	\$8,400.00	
Hallsville - UPS Store Mail Bid Packets	\$14.00	\$0.00	100%	\$14.00	
Hallsville - Roof Repairs - Inv. To Bid Approved JSBC6/6/06					
DMJM Program Management - Contract Amendment	\$683,822.00	\$647,760.64	5%	\$36,061.36	
Contingency/ Change Order Number & Amounts					
CO#11: HSMS Unsuitable Soils & EBU Rewiring JSBC	\$32,724.20	\$32,724.20			
CO#12 Hillside/Southside MS Stairs JSBC 11/25/04	\$325,453.00	\$325,453.00			
CO#13: Central Intercom/Webster Acoustical Ceiling	\$16,352.00	\$16,352.00			
CO#14: Hazmat Removal JSBC 3/22/05	\$848,864.12	\$848,864.12			
CO#15 CHS Bleacher/WHS Locker/Southside Bleacher	\$294,031.58	\$294,031.58			
CO#16 CHS & Parkside Changes & Weston Painting West	\$44,466.00	\$44,466.00			
CO#17 CHS, WHS, McDonough, Bakerville, HGF, Pk-Varn	\$102,150.00	\$102,150.00			
CO#18 MHS, Beech and West Various Changes	\$7,865.00	\$7,865.00			
CO#19 MHS, WHS, Hillside, Southside, Hallsville, NW, MST	\$97,236.48	\$97,236.48			
CO#20 MHS, CHS, Hillside, Southside, Beech	\$93,005.00	\$93,005.00			
CO#21 MHS, CHS, WHS, Hillside, McDonough, Hallsville, MST	\$78,581.94	\$78,581.94			
CO#22 CHS, WHS, Hillside, Southside, Parkside, Beech, Weston	\$5,745.00	\$5,745.00			
CO#23 Beech Bleachers & Stair Treads, Bakesville Chimney Reduction	\$14,297.00	\$14,297.00			
CO#24 Central, Hallsville and CR for Parkside	\$16,113.00	\$16,113.00			
Balance for Future Contingency Allocations		\$2,417,661.14			
Contingency Authorized to Date	\$3,232,338.86	\$5,495,008.36		\$154,991.64	
JSBC APPROVED CONTINGENCY BALANCE	\$2,417,661.14				
UNENCUMBERED PROJECT FUNDS	\$74,613.94				
ENCUMBERED/EXPENDED TOTAL	\$109,173,105.06	\$8,308,247.14		\$100,864,857.92	
TOTAL	\$109,247,719.00				



Manchester Public
School Facilities
Improvement Project

AG
DMJM
AN AECOM COMPANY
Project Office

222 South Jewett Street · Manchester, NH 03103
T 603.644.0410 · F 603.644.0411



Gilbane
220 S. Jewett Street
Manchester, NH. 03301
Telephone 603-644-3313 Ext. 212
Facsimile 603-644-3315

August 11, 2006

Manchester Schools' Design Build Employment Committee
c/o Gilbane Building Company
220 South Jewett Street
Manchester, NH 03103

Reference: Manchester City-Wide Schools Project
Manchester, NH
Gilbane Project No. 11-3387-000
Manchester Resident Report – August 11, 2006

Dear Sirs/Madam:

Attached is our resident requirement report for the Manchester City-Wide Schools Project which includes reported data through 8/11/06

Page 1 includes monthly detail of subcontractors reported data. Please note that if any field is "blank", either the data is as yet unreported or the subcontractor has not yet begun work. If the subcontractor is "highlighted", they have completed their work and we have closed their contract. Page 2 is a summary by subcontractor of their goals vs. actual performance with the overall job percentage totals reported at the bottom.

Should you have any questions regarding this submittal, please do not hesitate to contact me at 603-644-3313 ext. 212.

Regards,

Alan Burns
Project Accountant

Enclosures

A6



Manchester Public
School Facilities
Improvement Project

DMJM
AN AECOM COMPANY

Project Office

222 South Jewett Street · Manchester, NH 03103

T 603.644.0410 · F 603.644.0411

Manchester City-Wide Schools Project - Gilbane Job #11-3387-000

*Reported Residency Data

As of August 11, 2006

Total Hours vs. Manchester Resident Hours

	Jul-03 Thru Feb-06 Resident Hrs.	Jul-03 Thru Feb-06 Total Hours	Mar-06 Resident Hours	Mar-06 Total Hours	Apr-06 Resident Hours	Apr-06 Total Hours	May-06 Resident Hours	May-06 Total Hours	Jun-06 Resident Hours	Jun-06 Total Hours	Jul-06 Resident Hours	Jul-06 Total Hours	To Date Resident Hours	To Date Total Hours
Hayward Baker	69.50	1,514.00											69.50	1,514.00
Francis Harvey & Sons	10,967.00	42,565.00	0.00	0.00	0.00	0.00	0.00	0.00					10,967.00	42,565.00
Allan Industries	73,583.00	112,733.00	1,754.00	2,691.00	1,466.00	2,003.00	1,707.00	2,314.00	1,152.00	1,704.00	1,046.00	1,387.00	80,688.00	122,832.00
HCI Craftsmen	20.50	27.50											20.50	27.50
Hampshire Fire Protection	7,964.00	27,789.95											7,964.00	27,789.95
Interstate Electric	25,068.00	85,413.50	36.50	180.50	0.00	77.00							25,094.50	85,671.00
ACT Abatement	4.00	3,413.00											4.00	3,413.00
A & E Flooring	1,781.50	6,369.75											1,781.50	6,369.75
Essex Nowhury & Sub	0.00	10,117.50											0.00	10,117.50
George R. Cairns & Subs.	3,384.00	21,721.50	0.00	0.00			24.00	112.00					3,408.00	21,833.50
C.P. Blouin	18,487.65	78,067.25	267.00	1,093.00	279.00	743.50	40.00	683.00	42.00	274.50	166.50	1,057.00	17,282.15	79,918.25
Consolidated Electric	598.00	26,089.00	0.00	179.00	0.00	3.00	0.00	51.00	0.00	6.00			598.00	26,328.00
American Steel	0.00	4,841.50	0.00	58.00	0.00	10.00	0.00	6.00	0.00	0.00	0.00	0.00	0.00	4,915.50
Iaccarino & Sons	32.00	103.00											32.00	103.00
Northern Plaster Works	0.00	2,292.00											0.00	2,292.00
Francis H. Maroney	7,916.00	64,742.00	0.00	277.00	0.00	84.50	0.00	45.50	0.00	25.50	0.00	54.50	7,916.00	65,229.00
Johnson Controls, Inc.	726.00	5,721.50	0.00	5.00	0.00	337.50	0.00	237.00	0.00	73.00	0.00	76.00	726.00	6,450.00
Youngblood Co., Inc.	6,782.50	20,177.00	224.00	344.00	17.00	17.00	0.00	353.00	0.00	9.00	0.00	0.00	7,023.50	20,900.00
Novel Iron Works, Inc.	0.00	14,951.50											0.00	14,951.50
Northeast Masonry, Inc.	350.50	8,178.50			0.00	0.00							350.50	8,178.50
King Painting	1,620.00	72,692.00											1,620.00	72,692.00
Premier Caulking	180.50	521.00											180.50	521.00
Kel Rick Construction	5,180.50	67,744.55	0.00	184.00	0.00	80.00	0.00	160.00	0.00	152.00	0.00	68.00	5,180.50	68,418.55
Skyline Roofing	18,437.90	31,248.50	143.00	152.50	74.00	99.00	4.00	8.00	99.50	124.50	726.50	996.00	19,484.90	32,628.50
New Hampshire Glass	2,012.50	17,414.00	0.00	0.00	0.00	0.00	0.00	369.00	0.00	0.00	0.00	54.50	2,012.50	17,837.50

AG



Manchester Public
School Facilities
Improvement Project

DMJM
AN AECOM COMPANY
Project Office

222 South Jewett Street · Manchester, NH 03103
T 603.644.0410 · F 603.644.0411

Manchester City-Wide Schools Project - Gilbane Job #11-3387-000

Goals Vs. Actual Percentage Schedule Of Reported Hours

As of August 11, 2006

	<u>CUMULATIVE MANCHESTER HRS</u>	<u>CUMULATIVE TOTAL HOURS</u>	<u>GOAL PERCENTAGE MANCHESTER HOURS</u>	<u>ACTUAL PERCENTAGE MANCHESTER HOURS</u>
Hayward Baker	69.50	1,514.00	5.00%	4.59%
Francis Harvey & Sons	10,967.00	42,565.00	15.00%	25.77%
Allan Industries	80,688.00	122,832.00	0.00%	65.69%
HCI Craftsmen	20.50	27.50	50.00%	74.55%
Hampshire Fire Protection	7,964.00	27,789.95	10.00%	28.66%
Interstate Electric	25,094.50	85,671.00	5.00%	29.29%
ACT Abatement	4.00	3,413.00	0.00%	0.12%
A & E Flooring	1,781.50	6,369.75	2.00%	27.97%
Essex Newbury	0.00	10,117.50	0.00%	0.00%
George R. Cairns	3,408.00	21,833.50	5.00%	15.61%
C.P. Blouin	17,282.15	79,918.25	20.00%	21.62%
Consolidated Electric	598.00	26,328.00	5.00%	2.27%
American Steele	0.00	4,915.50	0.00%	0.00%
Iaccarino & Sons	32.00	103.00	0.00%	31.07%
Northern Plaster Works	0.00	2,292.00	0.00%	0.00%
Francis H. Maroney	7,916.00	65,229.00	15.00%	12.14%
Johnson Controls, Inc.	726.00	6,450.00	50.00%	11.26%
Youngblood Co., Inc.	7,023.50	20,900.00	15.00%	33.61%
Novel Iron Works, Inc.	0.00	14,951.50	0.00%	0.00%
Northeast Masonry	350.50	8,178.50	5.00%	4.29%
King Painting	1,620.00	72,692.00	10.00%	2.23%
Premier Caulking	180.50	521.00	0.00%	34.64%
Kel-Rick Construction	5,180.50	68,418.55	5.00%	7.57%
Skyline Roofing	19,484.90	32,628.50	10.00%	59.72%
New Hampshire Glass	2,012.50	17,837.50	15.00%	11.28%



Manchester Public
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Stateline Acoustical Ceilings	1,831.00	5,491.50	0.00%	33.34%
Chamberlain Companies	188.00	353.00	5.00%	53.26%
Pine State Elevator	0.00	1,936.50	0.00%	0.00%
Hate to Paint/Stain?	2,434.00	2,901.00	80.00%	83.90%
Dec-Tam Corporation	70.00	7,892.50	0.00%	0.89%
Twin Brooks Environmental	0.00	0.00	0.00%	
Major Theatre Equipment, Inc.	0.00	1,135.00	0.00%	0.00%
Air Quality Experts, Inc.	0.00	3,088.75	0.00%	0.00%
ABC Flooring Specialists	0.00	366.25	10.00%	0.00%
Tucker Library Interiors	0.00	323.85	0.00%	0.00%
American Sport Floors	0.00	3,229.50	0.00%	0.00%
Northeast Interior Systems	935.00	2,315.00	0.00%	40.39%
Pitcher Associates	1,162.50	2,499.50	20.00%	46.51%
Ahern Painting Co., Inc.	617.00	3,291.50	0.00%	18.75%
Allegheny Contract Flooring	4,565.00	5,461.00	0.00%	83.59%
Eckhardt & Johnson	4,344.50	11,792.00	0.00%	36.84%
F.A. Gray, Inc.	665.50	6,167.25	0.00%	10.79%
Robert H. Lord	108.00	108.00	0.00%	100.00%
Granite State Acoustics	4,711.00	7,383.50	0.00%	63.80%
Material Handling Sales	0.00	677.00	0.00%	0.00%
E.S. Boulos	768.50	1,839.50	0.00%	41.78%
Merrimac Tile Company	96.00	633.00	0.00%	15.17%
Raynor Door Authority	68.75	340.25	0.00%	20.21%
Gorman-Thomas, Inc.	202.50	1,560.50	0.00%	12.98%
TOTALS	215,170.80	814,282.35		
OVERALL PERCENTAGE	26.42%			

AH

To the Board of Mayor and Aldermen of the City of Manchester:

The Committee on Joint School Buildings respectfully advises, after due and careful consideration, that it has approved an estimated expenditure of \$940.00 from the School Facilities Improvement Project contingency for scraping, priming and painting the dust collection cyclone at Manchester Memorial High School, subject to review and determination by the City Finance Officer that such expenditure is allowable within the scope of the related bond.

(School Board Members Beaudry and Gelinas, Aldermen Thibault and Roy voted yea; Alderman Long voted nay; School Board Member Herbert was absent.)

Respectfully submitted,



Clerk of Committee

DMJM**TRANSMITTAL**222 South Jewett Street
Manchester, NH 03103

Phone: 603.644.0410

No. 00350

AH

PROJECT: 000 Manchester Schools District Wide**DATE:** 8/17/2006**TO:** City - Clerks Office**REF:** JSBC Meeting Agenda
Meeting - August 22**ATTN:** Paula Leblond Kang

WE ARE SENDING:	SUBMITTED FOR:	ACTION TAKEN:
<input type="checkbox"/> Shop Drawings	<input type="checkbox"/> Approval	<input type="checkbox"/> Approved as Submitted
<input type="checkbox"/> Letter	<input checked="" type="checkbox"/> Your Use	<input type="checkbox"/> Approved as Noted
<input type="checkbox"/> Prints	<input type="checkbox"/> As Requested	<input type="checkbox"/> Returned After Loan
<input checked="" type="checkbox"/> Change Order	<input type="checkbox"/> Review and Comment	<input type="checkbox"/> Resubmit
<input type="checkbox"/> Plans		<input type="checkbox"/> Submit
<input type="checkbox"/> Samples	SENT VIA:	<input type="checkbox"/> Returned
<input type="checkbox"/> Specifications	<input checked="" type="checkbox"/> Attached	<input type="checkbox"/> Returned for Corrections
<input type="checkbox"/> Other:	<input type="checkbox"/> Separate Cover Via:	<input type="checkbox"/> Due Date:

ITEM NO.	COPIES	DATE	ITEM	NUMBER	REV. NO.	DESCRIPTION	STATUS
----------	--------	------	------	--------	----------	-------------	--------

1	1	8/16/2006				JSBC meeting agenda for August 22, 2006	
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Remarks:Paula,
Per request of Tim Clougherty, Chief Facilities Manager, please add the following action item:

Scrape/prime/paint dust collection cyclone at MMHS @ \$940

CC:

Signed:

Allan Jefferson

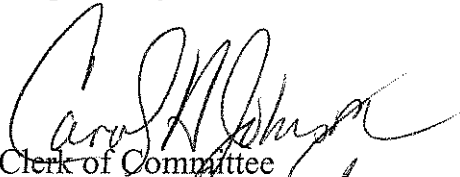
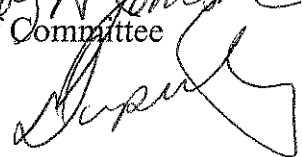
AI

To the Board of Mayor and Aldermen of the City of Manchester:

The Committee on Joint School Buildings respectfully advises, after due and careful consideration, that it has reduced the amount for committee review of project change orders for the Design/Build Project contingency from \$25,000 to \$2,500.

(School Committee Members Beaudry and Gelinas, Aldermen Thibault, Roy and Long voted yea; School Committee Member Herbert was absent.)

Respectfully submitted,


Clerk of Committee


AT

To the Board of Mayor and Aldermen of the City of Manchester:

The Committee on Lands and Buildings respectfully recommends, after due and careful consideration, that the former site of the Weston Street Fire Station be transferred from the Fire Department to the Parks, Recreation and Cemetery Department, and that such land be designated City parkland.

The Committee further recommends that the Board approve conceptual plans to dedicate such park as the Firefighters Memorial Park to be stewarded through a neighborhood association consisting of members from the community in conjunction with the Parks, Recreation and Cemetery Department.

(Aldermen Thibault, Smith, Roy and Long voted yea; Alderman Forest was absent.)

Respectfully submitted,



Clerk of Committee

AK

To the Board of Mayor and Aldermen of the City of Manchester:

The Committee on Lands and Buildings respectfully advises, after due and careful consideration, that it has directed staff to negotiate with Amoskeag Industries with regard to disposition of the Ash Street School property.

The Committee notes that it has found the property surplus to City needs and has requested staff to return to the Committee with a proposed agreement between the City and Amoskeag Industries relating to current deed restrictions of such property; and to consider future deed restrictions relating to the historic building thereon.

(Aldermen Thibault, Smith, Roy and Long voted yea; Alderman Forest was absent.)

Respectfully submitted,



Clerk of Committee



CITY OF MANCHESTER
Manchester Economic Development Office



AK

November 9, 2005

Honorable Board of Mayor and Aldermen
C/o City Clerk
One City Hall Plaza
Manchester NH 03101

IN BOARD OF MAYOR & ALDERMEN

DATE: November 15, 2005

ON MOTION OF ALD. Thibault

SECONDED BY ALD. DeVries

VOTED TO refer to the Committee on
Lands and Buildings.

Paul J. Borek
CITY CLERK

Honorable Members of the Board:

As you know, the Manchester School District has moved its headquarters from Ash Street School to the Millyards. In anticipation of the district returning the building to the City, discussions with Amoskeag Industries regarding the reuse of the property have been convened. The building was constructed by the City of Manchester. Reverter rights to the underlying land are held by Amoskeag Industries.

These discussions found that the highest and best use of this visible property along Bridge Street, a gateway arterial on the edge of the Downtown District, would be a landscaped, historic headquarters office facility. It was recommended that covenants requiring that the historic structure and grounds be enhanced and preserved be established. There appears to be private interest in this property for this use. To accomplish this purpose, the property could be marketed and sold competitively with the proceeds shared by the City of Manchester and Amoskeag Industries in accordance with their respective interest in the property. To this end, Amoskeag Industries is securing an appraisal for the parcel.

Further, it was suggested that the Manchester Development Corporation (MDC) might be equipped to market the property for private purchase and restoration and the MDC Board expressed an interest in doing so if requested by the Board of Mayor and Alderman (BMA). To date, the city has not received notice from the School District turning the building over to the City. We will keep the BMA apprised of actions and await the BMA's direction with regard to re-use of this property.

Sincerely,

Paul J. Borek
Paul J. Borek
Director

AK

RECEIVED
MANCHESTER CITY CLERK

Manchester School District

School Administrative Unit No. 37
286 Commercial Street, Manchester, NH 03101
Tel: 603.624.6300 • Fax: 603.624.6337

RECEIVED

DEC 20 2005

'05 DEC 20 A10:27

Michael Ludwell, Ph.D.
Superintendent of Schools

CITY SOLICITOR'S OFFICE


Henry J. Aliberti Jr., Ed.D.
*Assistant Superintendent
Elementary Education*

Frank G. Bass, Ph.D.
*Assistant Superintendent
Secondary Education*

Karen G. Burkush
*Assistant Superintendent
Student Services*

William E. Sanders
Chief Financial Officer

TO: Thomas Arnold
Deputy City Solicitor

FROM: William Sanders
Chief Financial Officer 

DATE: December 19, 2005

SUBJECT: Ash Street Building

This letter serves to advise that on December 12, 2005 the Board of School Committee passed the attached resolution related to returning the Ash Street School to the City of Manchester. Attached is a letter from the School Board Clerk regarding the matter.

Please advise what additional information or documentation, if any, is required to complete this process.

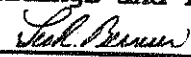
Cc: Michael Ludwell, Ph.D., Superintendent
Board of School Committee
Mr. Tim Clougherty
Mr. Kevin Sheppard
Mr. Frank Thomas

BY BOARD OF MAYOR & ALDERMEN

DATE: January 17, 2006

ON MOTION OF ALD. Long

SECONDED BY ALD. Osborne

VOTED TO refer to the Committee on Lands
and Buildings and forward letter
to School Board. 
CITY CLERK

AK

Manchester School District

School Administrative Unit No. 37
286 Commercial Street, Manchester, NH 03101
Tel: 603.624.6300 • Fax: 603.624.6337

Michael Ludwell, Ph.D.

Superintendent of Schools

Henry J. Aliberti Jr., Ed.D.

*Assistant Superintendent
Elementary Education*

Frank G. Bass, Ph.D.

*Assistant Superintendent
Secondary Education*

Karen G. Burkush

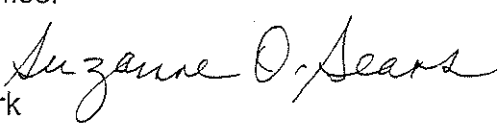
*Assistant Superintendent
Student Services*

William E. Sanders

Chief Financial Officer

TO: William Sanders
Chief Financial Officer

FROM: Suzanne Sears
School Board Clerk



DATE: December 15, 2005

SUBJECT: Ash Street Building

At the Board of School Committee meeting held on Monday, December 12, 2005, a motion was made and seconded to accept a minority report regarding the Ash Street School Building from the Building and Sites Committee. The motion passed by majority vote; Comm. Beaudry, Langton, and Labanaris voted in opposition to the motion.

A motion was made by Comm. Herbert and seconded by Comm. Kelley to accept the Administration's proposal that the Board return the Ash Street School Building back to the City. The motion passed by a majority vote of 9-4. Those voting in favor of the motion were Vice-Chair Stewart and Committee Members Scott, Herbert, Soucy, Gelinas, Cote, Ouellette, Kelley, and Donovan. Those voting in opposition of the motion were Committee Members Beaudry, Langton, Labanaris, and Kruse.



Robert S. MacKenzie, AICP
Director

CITY OF MANCHESTER

Planning and Community Development

Planning
Community Improvement Program
Growth Management



Staff to:
Planning Board
Heritage Commission
Millyard Design Review Committee

February 15, 2006

Committee on Land and Buildings
Honorable Board of Mayor and Aldermen
City Hall - One City Hall Plaza
Manchester, N.H. 03101

RE: *Ash Street School*

Dear Committee Members:

This is to provide a report pursuant to Section 34.20 pertaining to the above-referenced city-owned land and building.

Background: This property, located on the northeast corner of Bridge and Maple Streets, was first used as a school and then subsequently as a school administration building. School administration has since moved to another location and has determined the property surplus to their needs. The property is listed on the National Register of Historic Places. In addition, Amoskeag Industries retains reverter rights on the land portion of the property. A portion of any proceeds, therefore, would go to Amoskeag and preliminary meetings have been held in this regard.

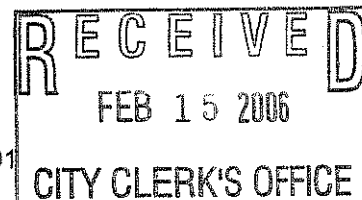
Surplus Determination and Disposition: It is the recommendation of the Planning & Community Development Department that the property is surplus to City needs and may be disposed of through public sale. We would recommend that the Board attach a condition that future uses retain the historic character of the building, given its National Register status. I would note that this would not preclude an addition to the rear or side of the building. We would also encourage (but not require) that the property on the side facing the corner of Bridge and Maple Streets be landscaped. It is expected that the best use of the property may be for commercial office and that the zoning may need to be reviewed to allow this use.

If you have any questions, our staff will be available at your meeting.

Sincerely,

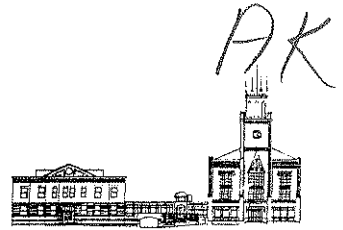
Robert S. MacKenzie, AICP
Director of Planning and Community Development

One City Hall Plaza, Manchester, New Hampshire 03101
Phone: (603) 624-6450 Fax: (603) 624-6529
E-mail: planning@ManchesterNH.gov





CITY OF MANCHESTER
Manchester Economic Development Office



August 22, 2006

Alderman Henry Thibault
Chairman, Land & Buildings Committee
Honorable Board of Mayor and Aldermen
City of Manchester
Manchester, New Hampshire 03101

Subject: Ash Street School

Dear Alderman Thibault:

This is to request that the Ash Street School be declared surplus property and that staff be directed to negotiate a marketing agreement with Amoskeag Industries for its disposal. The Manchester School District has vacated the property and parties have expressed interest in the property. Planning and Community Development Director Robert Mackenzie has recommended that the property is surplus to the City needs and may be disposed of through public sale.

The City was granted fee simple interest in the property located at 196 Bridge Street subject to conditions. The recorded deed provided that Amoskeag Manufacturing Company and its successors can regain title and possession of the property (Right of Re-Entry) if the property is occupied as other than a schoolhouse. While Amoskeag Industries, as successor to Amoskeag Manufacturing Company, can exercise its Right of Re-Entry at any time, they have offered to refrain from entering and repossessing the property (exercising its Right of Re-Entry) subject to negotiation of an agreement calling for Amoskeag Industries to sell the property and pay a portion of the proceeds to the City. An Agreement for the marketing and sale of the property will be submitted for your review when available.

Amoskeag Industries is a private corporation whose purpose and direction is focused on community economic development. They are directed by local business leaders who have expressed an interest in becoming more pro-active and aggressive in real estate development projects which benefit the City and have actively solicited ideas and opportunities from staff. Amoskeag Industries holds Rights of Re-Entry to numerous parcels throughout the City including the National Guard Armory.

Respectfully submitted,

Paul J. Borek
Economic Development Director

AK



City of Manchester
Office of the Tax Collector

City Hall
One City Hall Plaza - West
Manchester, New Hampshire 03101
(603) 624-6575 (Phone)
(603) 628-6162 (Fax)

Joan A. Porter
Tax Collector

Memorandum

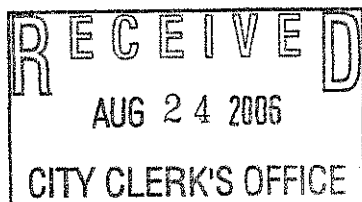
DATE: August 23, 2006

TO: Land & Building Committee

FROM: Joan A. Porter, Tax Collector

RE: Ash Street School

I do not have any objections to the disposal of this property as it is not a tax-deeded parcel.



AL

To the Board of Mayor and Aldermen of the City of Manchester:

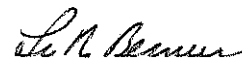
The Committee on Public Safety and Traffic respectfully recommends, after due and careful consideration, that:

a request from Intown Manchester to allow free parking downtown on Wednesday, September 13, 2006 from 5 PM until 8 PM for their Taste of Downtown Manchester event

be approved.

(Unanimous vote)

Respectfully submitted,



Clerk of Committee

AL



August 1, 2006

Mr. Leo Bernier
Manchester City Clerk
One City Hall Plaza
Manchester, NH 03101

Re: Request for curtailment of parking enforcement during the Taste of Downtown Manchester event to be held on September 13, 2006 from 5 – 8 p.m.

Dear Mr. Bernier,

This is a request for the City to curtail parking enforcement of overtime parking violations during the evening of September 13th, beginning at 5 p.m.

This is the third year of this very successful event which was designed to showcase our Downtown businesses by partnering retailers and restaurants in one grand event. People will walk along Elm, Hanover, Lowell, Chestnut and Stark streets and will be going in and out of businesses. Musicians and artists will be set up at various locations along the route. We sold over 700 tickets to the event last year and so have upped our ticket sales to a minimum of 1000 tickets.

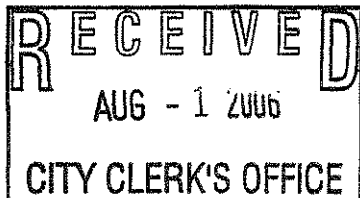
We would appreciate any kind of flexibility that could be given to this event as we don't want anyone leaving that night and returning to a ticket on their car.

I can be reached at 645-6285 if you have any questions, comments or concerns.

Sincerely,

A handwritten signature in cursive script that reads "Suzanne Butler".

Suzanne Butler
Director of Marketing
Intown Manchester
889 Elm St.
Manchester, NH 03101
(Office) 645-6285
sbutler@intownmanchester.com





Am

To the Board of Mayor and Aldermen of the City of Manchester:

The Committee on Public Safety and Traffic respectfully recommends, after due and careful consideration, that the Board support the recommendation that 10 new police officers be added to the Police Department's complement over the next two years.

Respectfully submitted,


Clerk of Committee


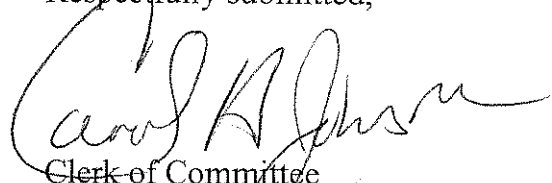
Unanimous vote


AN

To the Board of Mayor and Aldermen of the City of Manchester:

The Committee on Public Safety and Traffic respectfully advises that it has requested the Police Department administration work with the Human Resources Director to review pay and benefits, comparing with other New Hampshire and New England areas, and look at what is attracting certified officers to other areas, and report back to the committee.

Respectfully submitted,


Clerk of Committee



Unanimous vote

AO

To the Board of Mayor and Aldermen of the City of Manchester:

The Committee on Public Safety and Traffic respectfully recommends, after due and careful consideration, that the following regulations governing standing, stopping, and parking and operation of vehicles, be adopted pursuant to Chapter 70 of the Code of Ordinances of the City of Manchester and put into effect when duly advertised and the districts affected thereby duly posted as required by the provisions of that chapter and chapter 335 of the Sessions Laws of 1951.

Section 70.36 Stopping, Standing, or Parking Prohibited

CROSSWALKS

On Spruce Street, east and west of Belmont Street
On Belmont Street, north and south of Spruce Street

DIRECTIONAL SIGNS (EMERGENCY ACT)

West Jr. Deb Softball Field, right arrow, on McGregor Street at Bremer Street, NWC
West Jr. Deb Softball Field, left arrow, on McGregor Street, SEC
West Jr. Deb Softball Field, left arrow, on Kelly Street at Upland Street, NEC

BACK UP STOP SIGN (EMERGENCY ACT)

Belmont Street at Spruce Street, NEC

STOP SIGNS (EMERGENCY ACT)

On Riverfront Drive at the east terminus of Riverfront Drive, SWC

STOP SIGNS

On Tarrytown Road at Hanover Street, northeast corner

RESCIND STOP SIGN

On Leach Street at Second Street, SWC (ORD. 2498)
(Leach Street a Private Street)

AD

Report of Cmte. on Public Safety/Traffic
Page 2

YIELD SIGN

On Bridge Street at Mammoth Road, northeast island

RESCIND YIELD SIGNS

On Bridge Street at Mammoth Road, NEC (ORD. 2474)

On So. Maple Street at So. Willow Street, SEC, SWC (ORD.6740)

NO PARKING ANYTIME (EMERGENCY ACT)

On Massabesic Street, north side, from Belmont Street to a point 175 feet east

On Massabesic Street, south side, from Summer Street to a point 85 feet west

NO PARKING ANYTIME

On Pearl Street, south side, from a point 40 feet east of Chestnut Street to Pine Street

On Tarrytown road, west side, from Mammoth Road to Hanover Street

On Cypress Street, west side, from Massabesic Street to a point 35 feet south

On Massabesic Street, south side, from Cypress Street to a point 215 feet east

On Massabesic Street, south side, from Cypress Street to a point 120 feet west

On Oakland Avenue, south side, from Woodbine Avenue to a point 65 feet easterly

On Oakland Avenue, south side, from Woodbine Avenue to a point 80 feet westerly

On Spruce Street, north side, from a point 64 feet east of Massabesic Street to Belmont Street

On Karatzas Avenue, both sides, from Lagrange Avenue southerly to the dead end

On Dubuque Street, west side, from Amory Street to a point 50 feet north

RESCIND NO PARKING ANYTIME

On Pearl Street, south side, from Chestnut Street to Pine Street (ORD.9100)

RESCIND NO PARKING LOADING ZONE

On Amherst Street, south side, from a point 410 feet east of Nutfield Lane to Chestnut Street (ORD. 6916)

On Tarrytown Road, west side, from a point 155 feet north of Hanover Street to a point 60 feet northerly (ORD. 7424)

AO

Report of Cmte. on Public Safety/Traffic
Page 3

NO PARKING – LOADING ZONE (8AM-8PM/MONDAY-FRIDAY)

On Amherst Street, south side, from a point 41- feet east of Nutfield Lane to Chestnut Street

RESCIND 15-MINUTE PARKING

On Massabesic Street, south side, from a point 140 feet west of Cypress Street to a point 40 feet west (ORD. 3370)

RESCIND 30-MINUTE PARKING (8AM-6PM)

On Spruce Street, north side, from Massabesic Street to Belmont Street (ORD. 8200)

RESCIND PARKING ONE HOUR

On Cypress Street, west side, from Massabesic Street to Garland Avenue (ORD. 2901)

On Massabesic Street, south side, from 180 feet west of Cypress Street to the west property line of 305 Cypress Street (ORD. 3371)

On Massabesic Street, south side, from Cypress Street westerly to a point 140 feet west of Cypress Street (ORD. 3369)

30-MINUTE PARKING

On Massabesic Street, south side, from a point 120 feet west of Cypress Street to a point 100 feet west

30-MINUTE PARKING (8AM-6PM)

On Spruce Street, north side, from Massabesic Street to a point 64 feet east

PARKING ONE HOUR (8AM-6PM)

On Cypress Street, west side, from a point 35 feet south of Massabesic Street to Garland Avenue

On Massabesic Street, south side, from a point 305 feet west of Cypress Street to a point 317 feet westerly

A0

Report of Cmte. on Public Safety/Traffic
Page 4


PARKING ONE HOUR (8AM-4PM/MONDAY-FRIDAY)

On Central Street, both sides, from Tarrytown Road, westerly to the dead end

REPEALING PROVISIONS

That all rules and regulations now in effect in accordance with the provisions of an Ordinance "Chapter 70 Motor Vehicles and Traffic" as adopted August 6, 2002, with subsequent amendments thereto and inconsistent with the traffic rules and regulations herein adopted be repealed.

(Unanimous vote)


Respectfully submitted,



City of Manchester

8+9

Nominated 08/01/2006

Office of the Mayor
Hon. Frank C. Guinta

August 1, 2006

The Honorable Board of Mayor & Aldermen
One City Hall Plaza
Manchester, NH 03101

Dear Members of the Honorable Board:

Pursuant to Section 3.14 (b) of the City Charter, please find below the following nominations:

- (1) A. Joseph Dion to fill a vacancy as an alternate member of the Heritage Commission, term to expire January 1, 2008;
- (2) William Meehan, DMD to succeed Nicholas Skaperdas, DMD as a member of the Board of Health, term to expire July 1, 2009.

These nominations will layover to the next meeting of the Board pursuant to Rule 20 of the Board of Mayor & Aldermen. Your consideration of these nominees is appreciated in advance.

Sincerely,

Frank C. Guinta
Mayor



William A. Mehan, D.M.D., M.S.

EDUCATION

University of Rhode Island, College of Pharmacy
1963-1966

Tufts University School of Dental Medicine
1966-1970, D.M.D., cum laude

Internship, Oral Pediatrics, Tufts New England Medical Center/Boston Floating
Hospital
1973-1974

State University of New York at Buffalo, Graduate Orthodontic Program
1974-1976, Master of Science in Orthodontics; Masters Thesis:
Comparison of Edgewise/Begg Treatment Outcomes

WORK EXPERIENCE

Private Practice in Orthodontics, Manchester, New Hampshire
1976 to Present

Consultant for the Bureau of Handicapped Services, Cleft Palate Program
1977-2002, Provided and reviewed treatments funded for Southern New
Hampshire cleft palate children

Private Practice, Children's Dentistry, Trondheim, Norway
1972-1973

U.S. Air Force Dental Corps, Athens, Greece
1970-1972, Air Force Pediatric Dentist for Eastern Mediterranean

PROFESSIONAL ORGANIZATIONS

American Dental Association
1970 to Present

New Hampshire Dental Society
1976 to Present

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Manchester Dental Society
1976 to Present
Past President 1980-1981

American Association of Orthodontics
1974 to Present

New Hampshire Association of Orthodontics
1976 to Present
Past President, 1982-1984

World Federation of Orthodontics
1995 to Present

VOLUNTEER ORGANIZATIONS

Manchester Rotary Club
1970 to Present

Child Health Services, Founding Board Member, 1978
Provides health care to underinsured Manchester, New Hampshire
children

Donated Dental Services
NHDS Award 2003

Alliance for Optimal Dental Health, Founding Member
1994 to Present
Provides continuing dental education to New Hampshire dentists through
lectures by national speakers

Priority Dental Health Care, Inc.
Founding Member, 1996
Company to market Direct Reimbursement dental care funding to New
Hampshire businesses
Sold to New Hampshire Dental Society, 1998

YOUTH ACTIVITIES

Sponsor numerous soccer, baseball, swimming and hockey teams in the
Manchester, New Hampshire area
Team Name: Dr. Mehan's Heavy Metal

9
Coached: Pop Warner Football for USAF

PERSONAL

Married: Ellen Curry Mehan

Children: Marit, William, Jr., Anne and David

HOBBIES

Tournament water-skiing, AWSA

Boat Racing, APBA

Running

Downhill skiing

City of Manchester New Hampshire

In the year Two Thousand and Six

AN ORDINANCE

"Amending the Code of Ordinances of the City of Manchester by repealing Chapter 94: Noise Regulations in its entirety and inserting a new Chapter 94: Noise Regulations."

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester,
as follows:

§ 94.02 SCOPE.

This ordinance shall only apply to noise originating within the city limits of the City of Manchester, NH that is traveling in the atmosphere or environment. This ordinance shall apply to all bodies of water within the city limits of the City of Manchester, irrespectively if they flow through or are contained partially or entirely within the city limits.

§ 94.03 DEFINITIONS.

For the purpose of this title, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

AMBIENT SOUND LEVEL. The A-weighted sound level of all sound associated with a given environment, exceeded ninety percent (90%) of the time measured and being a composite of sounds from many sources during the period of observation while the sound from the noise source of interest is not present.

ANSI. The American National Standards Institute.

ANSI S SERIES STANDARDS. Those ANSI standards relevant to sound, acoustics, shock, vibration and bioacoustics.

A-WEIGHTED SOUND PRESSURE. The sound pressure level as measured with a sound level meter using the A-weighting network. The standard notation is dB(A) or dBA.

COMMERCIAL POWER EQUIPMENT. Any equipment or device rated at more than five horsepower and used for building repairs or property maintenance excluding snow removal equipment.

COMMERCIAL PREMISES. Any land parcel with buildings where the use of less than fifty percent (50%) of the gross floor area meets the definition of residential premises. Includes locations of various scale operating as retail, automotive use, restaurant, governmental, financial, entertainment and cultural and shopping centers as identified pursuant to the Manchester Zoning Ordinance.

CONSTRUCTION EQUIPMENT. Any device or mechanical apparatus operated by fuel, electric, or pneumatic power in the excavation, construction, repair, or demolition of any building, structure, land parcel, street, alley, waterway, or appurtenance thereto.

DECIBEL. A logarithmic unit of measure often used in measuring magnitudes of sound. The symbol is dB.

DOMESTIC POWER EQUIPMENT. Any equipment or device rated at five (5) horsepower or less and used for building repairs or grounds maintenance excluding snow removal equipment.

17+29

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City of Manchester New Hampshire

In the year Two Thousand and Six

AN ORDINANCE

"Authorizing the Mayor to dispose of certain tax deeded property located at Map 0372, Lot 0010-A, known as L Chenette Ave."

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester, as follows:

- I. That in accordance with New Hampshire RSA 80:80, the Mayor is authorized to convey a parcel of tax-deeded property known as Map 0372, Lot 0010-A, in the City of Manchester to Donald J. Pouliot and Nancy E. Pouliot of 95 Brent Street, Manchester, NH. The sale shall be evidenced by a deed without covenants and such other instruments as may be necessary to release all right, title, interest or claim in said parcel. Said property was acquired by the City of Manchester by virtue of Tax Collector's Deed, dated November 21, 1994, and recorded in the Hillsborough County Registry of Deeds, Volume 5593, Page 1655, on November 23, 1994. The purchase price of the parcel shall be Four Thousand One Hundred Fifty-dollars (\$4,150.00) an amount deemed reasonable by the Board of Assessors. Sale shall be contingent upon an agreement to merge Lot 10-A with Lot 10 of Tax Map 0372.
- II. This Ordinance shall remain in effect for six months from the date of passage.

City of Manchester New Hampshire

In the year Two Thousand and Six

AN ORDINANCE

"Amending the Code of Ordinances of the City of Manchester by repealing Chapter 94: Noise Regulations in its entirety and inserting a new Chapter 94: Noise Regulations."

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester,
as follows:

Chapter 94: Noise Regulations

Section

General Provisions

- 94.01 Purpose
- 94.02 Scope
- 94.03 Definitions
- 94.04 Enforcement
- 94.05 Measurements
- 94.06 Submission of Fees

Minimum Standards

- 94.10 Noise Levels
- 94.11 Exemptions
- 94.20 Motor Vehicles

Administration and Enforcement

- 94.40 Noise Variance Board
- 94.42 Application Procedures
- 94.43 Prohibited Conduct
- 94.44 Penalties

Statutory reference:

Authority of city to regulate noise, see R.S.A. 47:17 II & XV.

GENERAL PROVISIONS

§ 94.01 PURPOSE.

It is the policy of the Board of Mayor and Aldermen of the City of Manchester to protect, preserve and promote the health, safety, welfare, peace and quiet of the citizens of Manchester through the reduction, control and prevention of noise. It is the intent of this ordinance to establish standards that will eliminate and reduce unnecessary environmental noise throughout the community which may be physically harmful or otherwise detrimental to individuals and the community in the enjoyment of life, property and the conduct of business.

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City of Manchester New Hampshire

In the year Two Thousand and Six

AN ORDINANCE

"Amending the Code of Ordinances of the City of Manchester by repealing Chapter 94: Noise Regulations in its entirety and inserting a new Chapter 94: Noise Regulations."

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester, as follows:

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§ 94.03 DEFINITIONS.

For the purpose of this title, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

AMBIENT SOUND LEVEL. The A-weighted sound level of all sound associated with a given environment, exceeded ninety percent (90%) of the time measured and being a composite of sounds from many sources during the period of observation while the sound from the noise source of interest is not present.

ANSI. The American National Standards Institute.

ANSI S SERIES STANDARDS. Those ANSI standards relevant to sound, acoustics, shock, vibration and bioacoustics.

A-WEIGHTED SOUND PRESSURE. The sound pressure level as measured with a sound level meter using the A-weighting network. The standard notation is dB(A) or dBA.

COMMERCIAL POWER EQUIPMENT. Any equipment or device rated at more than five horsepower and used for building repairs or property maintenance excluding snow removal equipment.

COMMERCIAL PREMISES. Any land parcel with buildings where the use of less than fifty percent (50%) of the gross floor area meets the definition of residential premises. Includes locations of various scale operating as retail, automotive use, restaurant, governmental, financial, entertainment and cultural and shopping centers as identified pursuant to the Manchester Zoning Ordinance.

CONSTRUCTION EQUIPMENT. Any device or mechanical apparatus operated by fuel, electric, or pneumatic power in the excavation, construction, repair, or demolition of any building, structure, land parcel, street, alley, waterway, or appurtenance thereto.

DECIBEL. A logarithmic unit of measure often used in measuring magnitudes of sound. The symbol is dB.

DOMESTIC POWER EQUIPMENT. Any equipment or device rated at five (5) horsepower or less and used for building repairs or grounds maintenance excluding snow removal equipment.

City of Manchester
New Hampshire

In the year Two Thousand and Six

17+29

AN ORDINANCE

"Amending the Code of Ordinances of the City of Manchester by repealing Chapter 94: Noise Regulations in its entirety and inserting a new Chapter 94: Noise Regulations."

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester, as follows:

EMERGENCY VEHICLE. An authorized motor vehicle that has sound warning devices such as whistles, sirens and bells which can lawfully be used when responding to an emergency, during a police activity or which is required by state or federal regulations (i.e., reverse alarms).

EMERGENCY WORK. An activity made necessary to restore property to a safe condition following a public calamity or work required to protect persons or property from exposure to imminent danger. It includes work by private or public entities for providing or restoring immediately necessary service as well as all situations deemed necessary by the city.

EMERGENCY POWER GENERATOR. The equipment used to generate electrical power in the event of an interruption, malfunction or failure of the electrical power supplied by the service provider.

GROSS FLOOR AREA. The floor area within the inside perimeter of the exterior walls of the building under consideration, exclusive of vent shafts and courts, without deduction for corridors, stairways, closets, the thickness of interior walls, columns or other features. The floor area of a building or portion thereof, not provided with surrounding exterior walls shall be the usable area under the horizontal projection of the roof or floor above.

INDUSTRIAL PREMISES. Any premise where the production of goods, materials or knowledge takes place. May include locations for manufacturing, warehousing, research and development, distribution or other selected offices as identified pursuant to the Manchester Zoning Ordinance.

MOTOR VEHICLE. Any vehicle that is self-propelled, used primarily for transporting persons or property upon public roadways and required to be licensed according to motor vehicle registration laws. The term motor vehicle shall not include: aircraft, watercraft, motor vehicles operated on private property for recreational or amusement purposes, vehicles used exclusively on stationary rails, or specialized utility vehicles normally used only on private property in the daily course of business such as forklifts, and pallet movers.

NOISE. Any sound that exceeds the standards set forth in this chapter, annoys or disturbs a reasonable person of normal sensibilities, or causes or tends to cause any adverse psychological or physiological effect on humans.

NOISE VARIANCE. Specific relief from the terms of this chapter as granted by the Noise Variance Board.

17 + 29

City of Manchester New Hampshire

In the year Two Thousand and Six

AN ORDINANCE

"Amending the Code of Ordinances of the City of Manchester by repealing Chapter 94: Noise Regulations in its entirety and inserting a new Chapter 94: Noise Regulations."

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester, as follows:

PERSON. An individual, corporation, partnership, association, organization or similar entity.

PREMISES. Any building, structure, land, utility or portion thereof, including all appurtenances, and shall also include yards, lots, courts, inner yards and real properties without buildings or improvements, owned or controlled by a person.

PROPERTY LINE. The real or imaginary line and its vertical extension which separates real property owned or controlled by any person from contiguous real property owned or controlled by another person. The vertical and horizontal boundaries of a dwelling unit in a multi-dwelling unit building, condominium, or townhouse complex shall not be considered property lines separating one (1) property from another.

PUBLIC PREMISES. All real property including appurtenances thereon which is owned or controlled by any governmental entity and shall include streets, alleys, parks and waterways.

RECEPTOR PREMISES. The premises (residential, commercial, industrial, or public) as listed in Table A which is receiving noise emitted from the source premises after crossing one or more property lines. Also referred to as the receiving premise.

RESIDENTIAL PREMISES. Any premises where single or multiple dwelling units exist and shall include primary schools, churches, nursing homes and similar institutional facilities including any commercial premises where the use of more than fifty percent (50%) of the gross floor area meets this definition of residential premise.

SOUND. An oscillation in pressure, stress, particle displacement and particle velocity which induces auditory sensation.

SOUND LEVEL METER. An apparatus for the measurement of sound levels. The sound level meter shall be of a design and have the characteristics of a Type 2 or better instrument as established by the American National Standards Institute, publication S1.4 entitled Specification for Sound Level Meters.

SOUND PRESSURE LEVEL. Twenty (20) times the logarithm to the base ten (10) of the ratio of the pressure of a sound to the reference pressure of twenty (20) micronewtons per square meter (20×10^{-6} Newtons/meter²) and is expressed in decibels (dB).

SOURCE PREMISES. The premises (residential, commercial, industrial, or public) as listed in Table A that is emitting noise that is crossing one or more property lines and impacting the receptor premises.

SNOW REMOVAL EQUIPMENT. Any equipment used for removing snow from land or building surfaces and shall include snowplows, snow blowers, snow sweepers, and snow shovels.

17429

City of Manchester New Hampshire

In the year Two Thousand and Six

AN ORDINANCE

"Amending the Code of Ordinances of the City of Manchester by repealing Chapter 94: Noise Regulations in its entirety and inserting a new Chapter 94: Noise Regulations."

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester, as follows:

TABLE A. The reference table contained in § 94.10 of this chapter that details the maximum allowable noise levels for all premises in the City of Manchester, including a time of day allowance. Measurements of noise levels are made at the property line of the receiving premises.

TABLE B. The reference table contained in § 94.20 of this chapter that details the maximum allowable noise levels for all motor vehicles operating in the City of Manchester during any time of the day or night. Measurements of noise levels are made twenty-five (25) feet from the source motor vehicle.

TREE MAINTENANCE EQUIPMENT. Any equipment used in trimming or removing trees only and shall not be limited to chainsaws, chippers and stump removers.

§ 94.04 ENFORCEMENT.

The Chief of Police or his designee shall have and exercise the power to enforce the provisions of this title. Licenses or permits issued pursuant to this title shall also be enforced by a designee of the Office of the City Clerk. Enforcement shall include entering areas of public access or operation, free of charge, to ensure compliance and issuance of citations for any violations with penalties to be assessed as provided in §94.44 of this title.

§ 94.05 MEASUREMENTS.

For the purposes of this ordinance, the measurement of all physical parameters or entities associated with acoustics, sound, noise, or vibration shall comply with the most recent S series standards of ANSI, American National Standards Institute, Standards for Sound, Acoustics, Shock and Vibration, Bioacoustics. Furthermore, all physical parameters, or entities determined or calculated from such measurements relevant to acoustics, shock, vibration or bioacoustics shall be determined or calculated in accordance to the most recent S series standards of ANSI where so applicable.

§94.06 SUBMISSION OF FEES.

Fees for permits, applications and licenses shall be submitted with the applications under this chapter and shall be considered nonrefundable.

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City of Manchester New Hampshire

In the year Two Thousand and Six

AN ORDINANCE

"Amending the Code of Ordinances of the City of Manchester by repealing Chapter 94: Noise Regulations in its entirety and inserting a new Chapter 94: Noise Regulations."

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester, as follows:

MINIMUM STANDARDS

§ 94.10 NOISE LEVELS.

Noise levels shall be measured at any point along the property line or within the property line of the receiving premises to determine compliance of the source. When it is determined that the ambient sound level at the receiving premises equals or exceeds the maximum allowable sound pressure level specified in Table A, then the ambient sound level is the standard which cannot be exceeded by the source. The following table identifies allowable noise levels within various areas throughout the City:

TABLE A

Maximum Allowable Noise Levels (in dBA) with Time of Day Allowance

Source Premises	Receptor Premises							
	Residential		Commercial		Industrial		Public	
	7am- 10pm	10pm-- 7am	7am-- 10pm	10pm-- 7am	7am-- 10pm	10pm-- 7am	7am-- 10pm	10pm-- 7am
Residential	55	50	65	60	80	75	75	70
Commercial	55 [60]	50 [60]	65	60	80	75	75	70
Industrial	55 [65]	50 [65]	65	60	80	75	75	70
Public	55 [60]	50 [60]	65	60	80	75	75	70
Body of Water	55	50	65	60	80	75	75	70
<i>(The numbers in brackets are the allowable limits that comply with § 94.11 (N) Exemptions.)</i>								

§ 94.11 EXEMPTIONS.

The maximum permissible sound pressure levels as specified in Table A shall not apply to sounds emitted from:

(A) Any bell or chime from any building clock, school or church, not including any amplified bell or chime sounds emitted from loudspeakers.

(B) Any siren, whistle or bell lawfully used by emergency vehicles or any other alarm systems used in case of fire, collision, civil defense, police activity or imminent danger.

(C) Any aircraft in flight subject to federal law regarding noise control.

(D) Any ground-based aircraft activity including testing or engine run-up noise.

(E) Any motor vehicles designed for and operated on public streets, alleys, highways or freeways that are regulated by Table B.

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City of Manchester New Hampshire

In the year Two Thousand and Six

AN ORDINANCE

“Amending the Code of Ordinances of the City of Manchester by
repealing Chapter 94: Noise Regulations in its entirety and
inserting a new Chapter 94: Noise Regulations.”

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester,
as follows:

(F) Any tree maintenance equipment operated upon a residential, commercial, industrial or public premises provided that operation of tree maintenance equipment between the hours of 9:00 p.m. and 7:00 a.m. shall not exceed the maximum noise levels as specified in Table A.

(G) Any construction equipment or activities in compliance with § 94.43 (F) of this ordinance.

(H) Any domestic power equipment operated upon any residential, commercial, industrial or public premises between 7:00 a.m. and 10:00 p.m. provided that such equipment does not exceed a sound pressure level of eighty (80) dBA when measured at the property line of the receiving premise.

(I) Any commercial power equipment operated upon any residential, commercial, industrial or public premises between 7:00 a.m. and 10:00 p.m. provided that such equipment does not exceed a sound pressure level of eighty-eight (88) dBA when measured at the property line of the receiving premise.

(J) The musical instruments of any school marching band while performing at any sporting event or marching band competition, and the musical instruments of any school marching band practicing on school grounds between the hours of 9:00 a.m. and 8:00 p.m. that do not exceed sixty-five (65) dBA when measured at the property line of the receiving residential premise.

(K) Following a snowstorm, snow removal equipment operated on any premises between the hours of 5:00 a.m. and 10:00 p.m. provided that such equipment does not exceed the sound pressure limits for commercial power equipment (eighty-eight (88) dBA) or domestic power equipment (eighty (80) dBA) when measured at the property line of the receiving premise.

(L) Any power generator providing emergency electrical power at any hospital, health clinic, nursing home or similar facility where the loss of electrical power creates an immediate risk to the health, safety or welfare of any person, or at any premises where such equipment is required by the Manchester Fire Department. Additionally, the noise emitted during the routine testing of emergency electrical power generators shall not exceed eighty-eight (88) dBA when measured at the property line of the receiving premise. Routine testing shall not exceed one (1) hour in any one-week period, or two (2) hours in any six-week period and shall be confined to the hours of 10:00 a.m. to 4:00 p.m. or as otherwise approved.

(M) Any industrial, commercial, or public premises exceeding the standards of Table A at a receiving residential premises when the zoning of the receiving residential premises does not allow residential use (residential use is nonconforming). However, in such a situation, the noise emitted by the industrial, commercial, or public premises shall not exceed the standards for receiving industrial premises.

17+29

City of Manchester New Hampshire

In the year Two Thousand and Six

AN ORDINANCE

"Amending the Code of Ordinances of the City of Manchester by repealing Chapter 94: Noise Regulations in its entirety and inserting a new Chapter 94: Noise Regulations."

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester, as follows:

(N) Any industrial, commercial, or public premises exceeding the standards of Table A at a receiving residential premises when such industrial, commercial, or public premises and their emitted noise level were in existence prior to the existence of the residential premises, provided however that the existing industrial premises does not exceed sixty-five (65) dBA and the commercial premises do not exceed sixty (60) dBA when measured at the receiving residential premises.

(O) Any water craft or noise emanating from or on a body of water between the hours of 7:00 a.m. and 10:00 p.m. provided that such noise does not exceed a sound pressure level of eighty-eight (88) dBA when measured at the property line of the receiving property and further provided that between 10:00 p.m. and 7:00 a.m. such equipment does not exceed the maximum sound pressure levels as specified in Table A.

§ 94.20 MOTOR VEHICLES.

All noise levels from motor vehicles shall be measured at twenty-five (25) feet from the source vehicle to determine compliance. Except where preempted by state law the standards in Table B shall apply to all noise emitted from motor vehicles including any and all equipment thereon, under any condition of acceleration, deceleration, idle, grade or load and whether or not in motion.

TABLE B

Maximum Allowable Noise Levels for Motor Vehicles

Type of Vehicle	Time Period	Maximum Allowable Sound Pressure Level measured in dBA	Measurement Distance from Motor Vehicle
Motor vehicles weighing less than 10,000 pounds, manufacturers gross vehicle weight	At any time	80	25 feet

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City of Manchester New Hampshire

In the year Two Thousand and Six

AN ORDINANCE

"Amending the Code of Ordinances of the City of Manchester by repealing Chapter 94: Noise Regulations in its entirety and inserting a new Chapter 94: Noise Regulations."

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester,
as follows:

LICENSE REQUIREMENTS

ADMINISTRATION AND ENFORCEMENT

§ 94.40 NOISE VARIANCE BOARD.

It is recognized that in initiating community noise limits, any number of unanticipated situations may occur. Although the City is primarily concerned with protecting, preserving and promoting the health, safety, welfare and peace and quiet of the citizens of Manchester, the City realizes that there may be preexisting conditions that need an extended period of time to conform to the noise limits imposed by this ordinance. The City also recognizes that events or incidents can occur where there was every good faith expectation of complying with the noise limits imposed by this ordinance, but for some unforeseen circumstance, those events or incidents failed to comply.

This section hereby establishes a Noise Variance Board in which members shall approve or deny variances to this chapter, hereinafter referred to as a noise variance. The board shall consist of the Committee on Administration of the Board of Mayor and Aldermen.

§ 94.42 APPLICATION PROCEDURES.

Applications must be submitted to the Office of the City Clerk. General guidelines may be considered in the issuance of a noise variance. These guidelines are not all inclusive and other criteria may be established that is reasonable and prudent to protect the public or limit the anticipated detrimental impact of noise upon the community. The guidelines are as follows:

(A) Variances shall be granted prior to or in anticipation of an event.

(B) The City reserves the right to grant a variance after the fact if it is deemed by the Noise Variance Board to be in the public good, if the Board believes that an honest, fair and reasonable attempt was made to comply with the noise limits imposed by this ordinance, or the failure to comply was due to some unforeseen circumstance.

(C) A variance for the continuation of a non-complying activity may be granted after a reasonable attempt was made to comply and may contain such stipulations as the Board may deem necessary to protect the public that may include, but is not limited to:

1. Regulation of times;
2. The erection of noise barriers, shielding or other noise abatement; and
3. A demonstration of compliance progress.

17+29

City of Manchester New Hampshire

In the year Two Thousand and six

AN ORDINANCE

"Amending the Code of Ordinances of the City of Manchester by repealing Chapter 94: Noise Regulations in its entirety and inserting a new Chapter 94: Noise Regulations."

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester,
as follows:

(D) The applicant bears the burden of presenting evidence sufficient to allow the Noise Variance Board to reach conclusions and make findings to support the authorization of a variance.

(E) The Board may require a public hearing on a certain matter to permit abutting landowners to present written or oral testimony for consideration of granting or denying a variance.

(F) The Board may request review and recommendations from various City departments including the Building Commissioner, Public Health Director, Director of Planning, Chief of Police, City Clerk or their designees. Testimony of department representatives may be requested at a variance hearing.

(G) Final decisions shall be made available within seventy-two (72) hours after a vote on an application. A written decision will be mailed to the applicant with copies made available to the departments of Health, Police and City Clerk.

(H) In granting a variance, the Board may impose such conditions or stipulations as it deems necessary and proper in order to preserve the intent of this chapter.

(I) All decisions by the Noise Variance Board are final and may not be appealed to any other municipal board, committee or commission.

(J) As community noise is a public health concern, noise variances shall only be granted for a reasonable period of time, not more than two (2) years.

(K) The renewal of a variance after two (2) years requires the consent of the Board of Mayor and Aldermen.

(L) Variances shall not be granted for continued or sustained violations that may be physically injurious to one or more persons as determined by the Public Health Director.

(M) Once an application has been denied by the Noise Variance Board, the same application may only be considered if the Board finds that the application is materially different in nature and degree from the prior application.

City of Manchester New Hampshire

In the year Two Thousand and Six

AN ORDINANCE

"Amending the Code of Ordinances of the City of Manchester by repealing Chapter 94: Noise Regulations in its entirety and inserting a new Chapter 94: Noise Regulations."

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester,
as follows:

§ 94.43 PROHIBITED CONDUCT.

The following conduct is prohibited:

(A) Provide any false or inaccurate information to any City board, committee, commission or any employee of the City of Manchester, in an attempt to deceive or otherwise avoid compliance with this ordinance.

(B) Hinder, obstruct, delay, resist, interfere, or attempt to interfere with any authorized person while in the performance of their duties under this ordinance.

(C) Emit or cause to be emitted any noise which leaves the premises on which it originates, crosses a property line, and enters onto any other premises in excess of the sound pressure levels during the time periods as specified in Table A, without a variance.

(D) Emit or cause to be emitted any noise within the public premises in excess of the limits defined in Table A without a variance.

(E) Reserved

(F) Operate any construction equipment or conduct any construction activities between the hours of 9:00 p.m. and 7:00 a.m. that exceed the noise limits of Table A. The City may grant variances from the construction restrictions if it can be demonstrated that a construction project will interfere with traffic if completed during daytime hours.

(G) Operate any trash compacting mechanism on any motor vehicle, or engage in any trash, rubbish or garbage collection activity between the hours of 10:00 p.m. and 7:00 a.m., when such activity takes place on any premises adjacent to a residential premises.

(H) Operate or permit the operation of any motor vehicle or combination of motor vehicles at any time or place when such operation exceeds the noise limits for the category of motor vehicle and for the designated time period as specified in Table B.

(I) Sound any horn or other audible signal device of an automobile, motorcycle, streetcar, or other vehicle unless it is necessary as a warning to prevent or avoid a traffic accident or reasonably inform or warn of a vehicle presence.

(J) Modify or change the exhaust muffler, air intake muffler or any other sound reducing device in such a manner that the noise emitted from the motor vehicle exceeds the sound pressure levels as established in Table B of § 94.20 except where permitted by state law.

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City of Manchester New Hampshire

In the year Two Thousand and Six

AN ORDINANCE

"Amending the Code of Ordinances of the City of Manchester by repealing Chapter 94: Noise Regulations in its entirety and inserting a new Chapter 94: Noise Regulations."

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester, as follows:

(K) The noise limits in Table A and Table B notwithstanding, no person shall:

- 1) Make, continue, or cause to be made or continued any loud, unnecessary or unusual noise or any noise which either annoys, disturbs, injures, or endangers the comfort, repose, health, peace, or safety of others, within the limits of the city.
- 2) Use, operate or permit to be played, used or operated of any radio, receiving set, musical instrument, phonograph, or other machine or device for the producing or reproducing of sound in such manner as to disturb the peace, quiet and comfort of the inhabitants of a neighboring premises. The operation of any such set, instrument, phonograph, machine or device by a commercial establishment between the hours of 11:00 p.m. and 7:00 a.m. in such a manner as to be plainly audible at a distance of 50 feet from the lot line, structure or vehicle in which it is located shall be prima facie evidence of a violation of this section.
- 3) Use, operate, or permit to be played, used, or operated, any radio receiving set, musical instrument, phonograph, loudspeaker, sound amplifier, or other machine or device for the producing or reproducing of sound which is cast upon the public streets for the purpose of commercial advertising or attracting the attention of the public to any building or structure in such a manner that the occupants of a neighboring premises disturbed or annoyed.
- 4) Yell, shout, hoot, whistle, or sing on the public streets, particularly between the hours of 11:00 p.m. and 7:00 a.m. or any time or place so as to annoy or disturb the quiet, comfort, or repose of persons in neighboring premises.
- 5) Keeping of any animal or bird which by causing frequent or long continued noise shall disturb the comfort or repose of any person in a neighboring premises.
- 6) Use any automobile, motorcycle, or vehicle so out of repair, so loaded or in such manner as to create loud and unnecessary grating, grinding, rattling or other noise.
- 7) Transport rails, pillars, or columns of iron, steel or other material, over and along streets and other public places upon carts, drays, cars, trucks, or in any other manner so loaded as to cause loud noises or as to disturb the peace and quiet of such streets or other public places.

City of Manchester New Hampshire

In the year Two Thousand and Six

AN ORDINANCE

"Amending the Code of Ordinances of the City of Manchester by repealing Chapter 94: Noise Regulations in its entirety and inserting a new Chapter 94: Noise Regulations."

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BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester,
as follows:

§ 94.44 PENALTIES.

(A) Each act of violation of § 94.43 Prohibited Conduct and every day upon which any such violation shall occur in one (1) calendar year shall constitute a separate offense and follow the penalty schedule below:

(1) FIRST OFFENSE:

~~The offender shall be informed of the noise ordinance and corrective measures to achieve compliance. This shall constitute an official warning and should be accomplished in writing if possible.~~

A citation shall be issued to the offender in the amount of one hundred dollars (\$100.00).

(2) SECOND OFFENSE:

A citation shall be issued to the offender in the amount of two hundred and fifty dollars (\$250.00).

(3) THIRD OFFENSE:

A citation shall be issued to the offender in the amount of five hundred dollars (\$500.00).

(4) FOURTH AND SUBSEQUENT OFFENSES:

A citation shall be issued to the offender in the amount of one thousand dollars (\$1000.00).

(B) If the court finds for the City, the City shall recover its costs of suit including reasonable expert fees, attorney fees and necessary investigate costs.

This ordinance shall take effect upon its passage.

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City of Manchester New Hampshire

In the year Two Thousand and Six

AN ORDINANCE

"Amending the Zoning Ordinance of the City of Manchester by extending the R-SM (Residential Suburban Multi-Family) zone district to include property currently zoned IND (Industrial) located on the south side of Holt Avenue between East Industrial Park Drive and Waverly Street and known as Tax Map 716, Lot 38."

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester, as follows:

SECTION 1. "Amending the Zoning Ordinance of the City of Manchester by extending the R-SM (Residential Suburban Multi-Family) zone district to include property currently zoned IND (Industrial) located on the south side of Holt Avenue between East Industrial Park Drive and Waverly Street and known as Tax Map 716, Lot 38, and being more particularly bounded and described as follows:

Beginning at a point on the centerline of Holt Avenue, said point being on the zone boundary line of the R-SM (Residential Suburban Multi-Family) and the IND (Industrial) zone district, prior to this amendment; and said point being approximately 165 ft. west of the intersection of the R-SM (Residential Suburban Multi-Family) zone district and the IND (Industrial) zone district, prior to this amendment;

Thence, southerly along the property line of Tax Map 716, Lot 38 and Tax Map 717, Lot 13A extended, a distance of approximately 438 ft. to a point;

Thence, westerly along property line of Tax Map 716, Lot 38 and Tax Map 717, Lot 1A a distance of approximately 423 ft. to a point;

Thence, northerly along the property line of Tax Map 716, Lot 38 and Tax Map 716, Lot 36A extended, a distance of approximately 436 ft. to a point, said point also being on the zone boundary line of the R-SM (Residential Suburban Multi-Family) and the IND (Industrial) zone district, prior to this amendment;

Thence, easterly along the zone boundary line of the R-SM (Residential Suburban Multi-Family) and the IND (Industrial) zone district, prior to this amendment; a distance of approximately 425 ft. to a point, said point also being the point of beginning.

Said description to include TM 716, Lot 38 consisting of approximately 3.90 acres of private land, to be rezoned from IND (Industrial) to R-SM (Residential Suburban Multi-Family) zone district, after this amendment.

SECTION II. Resolve this ordinance shall take effect upon passage.

City of Manchester New Hampshire

In the year Two Thousand and Six

AN ORDINANCE

“Amending the Zoning Ordinance of the City of Manchester by extending the B-2 (General Business) zoning district to include property currently zoned IND (Industrial) located on the south side of Gold Street east of the former Lawrence Branch of the B&M Railroad and including the following three lots Tax Map 875-14, 875-15, and 875-16.”

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester, as follows:

SECTION 1. “Amending the Zoning Ordinance of the City of Manchester by extending the B-2 (General Business) zoning district to include property currently zoned IND (General Industrial/Industrial Park) located on Gold Street including Tax Map 875, Lots 14, 15, and 16, and being more particularly bounded and described as follows:

Beginning at a point on the centerline of the intersection of Gold Street and John E. Devine Drive extended, said point being on the zone boundary line of the B-2 (General Business) zone district and the IND (General Industrial/Industrial Park) zone district, prior to this amendment;

Thence, easterly along the centerline of Gold Street, also being the zone boundary line between the B-2 (General Business) zone district and the IND (General Industrial/Industrial Park) zone district, prior to this amendment, approximately 965 ft. to a point;

Thence, southerly along the zone boundary line of the B-2 (General Business) zone district and the IND (General Industrial/Industrial Park) zone district, prior to this amendment, a distance of approximately 570 ft. to a point;

Thence, southwesterly along the zone boundary line of the B-2 (General Business) zone district and the IND (General Industrial/Industrial Park) zone district, prior to this amendment, a distance of approximately 1,075 ft. to a point;

Thence, northwesterly generally along the centerline of the former Lawrence Branch of the Boston and Maine Railroad, a distance of approximately 1,090 ft. to a point, said point being the zone boundary line of the R-1B (Residential One-Family) zone district and the IND (General Industrial/Industrial Park) zone district, prior to this amendment;

Thence, easterly along the centerline of Gold Street, also being the new zone boundary line between the B-2 (General Business) zone district and the IND (General Industrial/Industrial Park) zone district, after this amendment, a distance of approximately 515 ft. to a point, said point also being the point of beginning.

Said description to include TM 875, Lot 14, Lot 15, and Lot 16 consisting of approximately 19.43 acres of private land, to be rezoned from IND (General Industrial/Industrial Park) to B-2 (General Business) zone district, after this amendment.

SECTION II. Resolve this ordinance shall take effect upon passage.

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City of Manchester New Hampshire

In the year Two Thousand and Six

AN ORDINANCE

"Amending the Zoning Ordinance of the City of Manchester by extending the R-3 (Urban Multi-family) zoning district to include property currently zoned R-1B (Single-family) located on a portion of Tax Map 691 Lot #143-1 that will be on the north side of a proposed Gold Street Bypass and adjacent to Bradley Street and the New St Augustin's Cemetery"

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester, as follows:

SECTION 1. Amending the Zoning Ordinance of the City of Manchester by extending the R-3 (Urban Multi-family) zoning district to include property currently zoned R-1B (Single-family) located on a portion of Tax Map 691 Lot #143-1 that will be on the north side of a proposed Gold Street Bypass and adjacent to Bradley Street and the New St Augustin's Cemetery and being more particularly bounded and described as follows:

Beginning at a point at the centerline of Bradley Street at a point opposite the property lines of New Beech Hill Development Company, LP (TM 691-15A) and the Diocese of Manchester (shown on a subdivision plan approved by the Planning Board on February 23, 2006 as TM 691-143-1), said point being on the zone boundary line of the R-3 (Urban Multi-family) district and the R-1B (Single-family), prior to this amendment;

Thence, westerly across the Right of Way of Bradley Street and continuing along the northerly boundary of said property of the Diocese of Manchester TM 691-143-1, said line also being the zone boundary line between the R-3 (Urban Multi-family) district and the R-1B (Single-family), prior to this amendment, approximately 1206 ft. to a point;

Said point being the end of the northerly boundary of the Diocese of Manchester TM 691-143-1, and at the intersection with the following properties: TM 691-143, TM 691-135, TM 691-136 and TM 691-15A;

Thence, southerly along the boundary of property of the Diocese of Manchester TM 691-143-1 a distance of 285.94 ft. to a point;

Thence, easterly along the boundary of property of the Diocese of Manchester TM 691-143-1 a distance of 295.71 ft. to a point;

Thence, southerly along the boundary of property of the Diocese of Manchester TM 691-143-1 a distance of approximately 130 ft. to a point, said point being on the edge of the proposed Right of Way of the Gold Street Bypass;

Thence, easterly across the Right of Way of the Gold Street Bypass to the centerline of said Bypass a distance of approximately 30 feet to a point;

City of Manchester New Hampshire

In the year Two Thousand and Six

17+29

AN ORDINANCE

"Amending the Zoning Ordinance of the City of Manchester by extending the R-3 (Urban Multi-family) zoning district to include property currently zoned R-1B (Single-family) located on a portion of Tax Map 691 Lot #143-1 that will be on the north side of a proposed Gold Street Bypass and adjacent to Bradley Street and the New St Augustin's Cemetery"

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester, as follows:

Thence, northeasterly and easterly along the centerline of the Right of Way of the Gold Street Bypass as extended to the centerline of Bradley Street a distance of approximately 1,017 feet to a point;

Thence northerly along the centerline of Bradley Street to a point opposite the property lines of New Beech Hill Development Company, LP (TM 691-15A) and the Diocese of Manchester (TM 691-143-1) a distance of approximately 324 feet to a point, said point also being the point of beginning.

Said description meaning to include a portion of property of the Diocese of Manchester (shown on a subdivision plan approved by the Planning Board on February 23, 2006 as TM 691-143-1) consisting of approximately 8.1 acres of private land, to be rezoned from the R-1B (Single-family) zoning district to the R-3 (Urban Multi-family) zoning district, after this amendment.

SECTION II. Resolve this ordinance shall take effect upon passage.

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City of Manchester
New Hampshire

In the year Two Thousand and Six

AN ORDINANCE

“Amending the Zoning Ordinance of the City of Manchester by revising the CV (Conservation) zoning district boundary along the Piscataquog River.”

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester,
as follows:

SECTION I.) Amending the Zoning Ordinance of the City of Manchester by revising the CV (Conservation) zoning district boundary along the Piscataquog River to include the following Tax Maps/Lots: 693/40B; 647/1; 647/2; 647/3; 647/4; 694/1; 701/42; 701/43; 701/44; 700/52; 648/5; 648/6; 648/7; 648/8; 648/12; 648/14; 648/58; 646/14; 646/23; 699/47; 699/54; 568/1; 736/5A; 736/7A; 736/8; 736/8A; 525/21; 525/21A; 526/2; 526/5A; and 632/35.

SECTION II.) Resolve this Ordinance shall take effect upon passage.

City of Manchester
New Hampshire

In the year Two Thousand and Six

AN ORDINANCE

“Amending the Zoning Ordinance of the City of Manchester by changing the expiration period of variances, special exceptions, and conditional use permits in Article 15.03 to be consistent with the expiration period in Article 14.02.”

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester,
as follows:

SECTION I.) Amending the Zoning Ordinance of the City of Manchester by amending Article 15, Section 15.03B. Special Exceptions, Variances, and Conditional Use permits by removing the expiration date of *two (2) years* and inserting *one (1) year* in its place.

SECTION II.) Resolve this ordinance shall take effect upon passage.

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City of Manchester New Hampshire

In the year Two Thousand and Six

AN ORDINANCE

"Amending the Zoning Ordinance of the City of Manchester by inserting additional language into Article 6.10 Special Lot sizes in the R-2 District for clarification and consistency with the original intent of the special lot sizes in this district."

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester,
as follows:

SECTION I.) Amending the Zoning Ordinance of the City of Manchester by inserting additional language into Article 6.10 Special Lot sizes in the R-2 District, so that the first sentence reads:
"Within the R-2 District, *both vacant and developed* lots (*which contain otherwise conforming uses and structures*) created prior to May 19, 1987 of at least 5,000 square feet in area and a lot width of at least 50 feet shall be considered conforming and shall not be subject to consolidation provisions of this ordinance."

SECTION II.) Resolve this Ordinance shall take effect upon passage.

City of Manchester
New Hampshire

In the year Two Thousand and Six

AN ORDINANCE

"Amending the Zoning Ordinance of the City of Manchester by revising the definition of Lot Width in Article 3.03 Definition of Terms."

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester, as follows:

SECTION I.) Amending the Zoning Ordinance of the City of Manchester by revising the definition of Lot Width in Article 3.03 Definition of Terms, so that it reads: "*The shortest horizontal distance between the side lot lines.*"

SECTION II.) Resolve this Ordinance shall take effect upon passage.

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City of Manchester
New Hampshire

In the year Two Thousand and Six

AN ORDINANCE

“Amending the Zoning Ordinance of the City of Manchester by adding language to Article 10.06(C) regarding required loading spaces”

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester,
as follows:

SECTION I.) Amending the Zoning Ordinance of the City of Manchester by adding language to Article 10.06(C) Loading Spaces such that the second sentence reads “Each loading space shall be a minimum of 12 feet in width and 50 feet in length, not including space for maneuvering, *unless waived by the Planning Board in conjunction with site plan or planned development review.*”

SECTION II.) Resolve this Ordinance shall take effect upon passage.

City of Manchester New Hampshire

In the year Two Thousand and

AN ORDINANCE

"Amending the Building Code of the City of Manchester as adopted in Section 151.01 of the City of Manchester Code of Ordinances by repealing the 1999 National Electrical Code and adopting the 2005 edition of the National Electrical Code."

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester, as follows:

SECTION 1. Certain documents, two (2) copies of each which are on file in the Office of the City Clerk of the City of Manchester being marked and designated as the *2005 National Electrical Code* as published by the International Code Council, Inc., be and are hereby adopted as the *Electrical Code* of the City of Manchester in the State of New Hampshire, and each and all of the regulations, provisions, penalties, conditions and terms of said *Electrical Code* are hereby referred to, adopted and made a part hereof, as if fully set out in this ordinance, with the additions, insertions, deletions and changes prescribed in Section 2 of this Ordinance.

SECTION 2. The following sections are hereby amended as follows:
(Note: Old text shown as struck-through; new text shown italicized.)

CHAPTER 1 ADMINISTRATION

101.4.1 Electrical. The provisions of NFPA 70 (National Electrical Code), ~~1999~~ *2005* Edition, and or/ such regulations administered by the State of New Hampshire Electricians Licensing Board shall apply to the installation of electrical systems, including alterations, repairs, replacement, equipment, appliances, fixtures, fittings and appurtenances thereto.

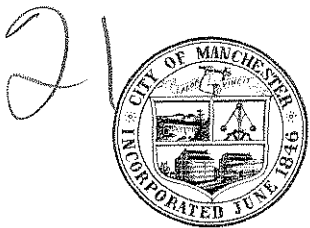
CHAPTER 27 ELECTRICAL.

2701.1 Scope. All such installations shall conform to the provisions of NFPA 70 (National Electric Code), ~~1999~~ *2005* Edition, and/or such regulations administered by the State of New Hampshire Electricians Licensing Board, whichever shall be deemed more stringent.

2702.1 Installation. Emergency and standby power systems shall be installed in accordance with the NFPA 70 (National Electrical Code), *2005* Edition, NFPA 110 and NFPA 111.

SECTION 3. This Ordinance shall take effect upon its passage.

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CITY OF MANCHESTER Board of Aldermen



August 16, 2006

The Honorable Board of Mayor
and Aldermen
One City Hall Plaza
Manchester, NH 03101

Re: Naming of Calef Road Park Upon Completion

Dear Colleagues:

I am formally requesting that the refurbished above-named park be named in honor of

Christopher Sullivan

a lifelong resident of Ward 9. As the youngest of ten children he was born, educated and was a Manchester Firefighter stationed at the Calef Road Firehouse his entire career. The Sullivan Family has a long history of public service in our great City and many of its members continue to live and work in the area of the park.

Your favorable consideration of this request will be greatly appreciated by myself and all members of The Sullivan Family.

Sincerely,

Michael D. Garrity
Aldermen – Ward 9

pc: Joan Flurey



CITY OF MANCHESTER

Office of the City Clerk



Leo R. Bernier
City Clerk

Carol A. Johnson
Deputy City Clerk

Paula L-Kang
Deputy Clerk
Administrative Services

Matthew Normand
Deputy Clerk
Licensing & Facilities

Patricia Piecuch
Deputy Clerk
Financial Administration

August 8, 2006

The Honorable Board of Mayor
and Aldermen
One City Hall Plaza
Manchester, NH 03101

Dear Honorable Board Members:

RSA 659:4 requires that the Board of Mayor and Aldermen "determine the polling hours no later than 30 days prior" to the election.

I am requesting the Board set the polling hours for the State General Election scheduled for Tuesday, November 7, 2006, from 6:00 AM until 7:00 PM.

Your favorable consideration would be greatly appreciated.

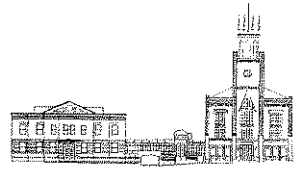
Thank you.

Sincerely,

Leo R. Bernier
City Clerk




CITY OF MANCHESTER



DATE: August 7, 2006

TO: Board of Mayor and Aldermen

FROM: 
Leo Bernier

RE: New Hampshire Vital Records Preservation Grant Proposal

We are requesting permission to apply for a \$8,141.00 grant to fund the restoration of eight (8) volumes of Births, Marriages and Deaths, 1882-1919. The goal is to deacidify, mend and rebind the following:

Births:	Vol. 9, July 1909-August 1911 Vol. 10, August 1911-June 1914 Vol. 12, January 1917-September 1919
Marriages:	Vol. 7, 1898-1903 Vol. 8, 1903-1908
Deaths:	Vol. 6, July 1882-September 1885 Vol. 9, November 1891 Vol. 10, May 1894-November 1896

This is the first time records preservation funds have been made available to towns and cities through the State of New Hampshire's Vital Records Improvement Fund.



CITY OF MANCHESTER

Office of the City Clerk

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Leo R. Bernier
City Clerk


Carol A. Johnson
Deputy City Clerk

Paula L-Kang
Deputy Clerk
Administrative Services

Matthew Normand
Deputy Clerk
Licensing & Facilities

Patricia Piecuch
Deputy Clerk
Financial Administration

Memo To: Board of Mayor and Aldermen

From: Carol A. Johnson 
Deputy City Clerk

Date: August 24, 2006

Re: Return of Warrant – Unlicensed Dogs

The following information is provided on behalf of the Chief of Police pursuant to RSA 466:16 as a return of a Warrant issued by the Board of Mayor and Aldermen in June 2006.

Number of Dogs originally listed on warrant:	2,206
# Civil Forfeitures received and paid	710
# Dogs licensed from warrant	929
# Dogs removed – (deceased, moved away no longer own, etc.)	598
# Civil Forfeitures in process (hand delivery)	312
# Court Summons processed for delivery	200
# Licensing in process/still locating	167

While a cumbersome process required by State law, it should be noted that a substantial number of dogs received updated rabies shots resulting from the licensing procedures.

Should you have any questions, I will be available at the September 5th meeting of the Board to address them.

PC: Chief Jaskolka



**City of Manchester
Welfare Department**

1528 Elm Street
Manchester, NH 03101-1350
(603) 624-6484 FAX (603) 624-6423
www.ci.manchester.nh.us

Paul R. R. Martineau
Commissioner

August 24, 2006

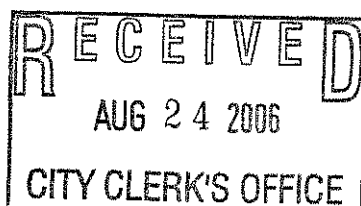
Board of Mayor and Aldermen
c/o City Clerk
One City Hall Plaza
Manchester, N. H. 03101

Dear Members of the Board of Mayor and Aldermen:

I am submitting the enclosed updated Welfare Guidelines for your adoption according to RSA 165:1(II). The guidelines have been reviewed by the City Solicitor's Office for statutory legality. Upon adoption, copies will be available at the City Clerk's Office, the two Library locations and on our Web Site.

Sincerely,


Paul R. R. Martineau
Welfare Commissioner



RECEIVED

JUL 28 2006

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MAYOR'S OFFICE

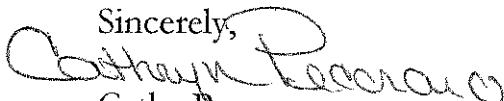
Manchester Police Relief Association

351 Chestnut Street
Manchester, NH 03101

Dear Mayor Frank C. Guinta & Alderman,

Per my conversation with Randy Sherman, here is the formal request for a donation towards this year's Manchester Police Relief Association fundraiser. We very much appreciate your consideration with this endeavor. Attached is our business letter with prices. Please run this information by the board in your next meeting. Thanks for your time.

Sincerely,


Cathy Pecoraro

(Deputy Chief Gary Simmons
Tax ID # 02-0262209
Station: 668-8711)

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Manchester Police Relief Association

351 Chestnut Street
Manchester, NH 03101

Attention: Mayor Frank C. Guinta & Alderman
1 City Hall Plaza
Manchester, NH 03101

Manchester's most valuable resource is its children. It is a tragedy for a child to be enticed by the lure of drugs and alcohol. If a child falls off a bicycle and breaks an arm, eventually the bone will heal. If a child becomes addicted to drugs or alcohol, the recovery will last a lifetime. It is incumbent upon each and every one of us to protect our best interest, as they become our future leaders. This responsibility must be shared not only by our area Law Enforcement, but also by every member of our community.

This year we are inviting local businesses to show support by sponsoring advertisements in our 2006 Yearbook. Everyone that contributes a \$75 or more advertisement will receive a complimentary issue of the Yearbook. The object of the Manchester Police Relief Association fundraiser shall be to afford aid and relief to members of the Association, both active and retired, provide death benefits, scholarship opportunities and other relief subject to its by-laws. Thank you in advance for your support!

Our 2006 Yearbook will be an 8- 1/2 inch publication.

Ads are as follows:

2-Page Spread	\$1495	1/2 Page	\$595
Outside Back Cover	\$1295	1/4 Page	\$365
Front or Back Inside Cover	\$995	1/6 Page	\$275
Full Page	\$795	1/8 Page	\$225

Smaller ads available upon request.

Respectfully Yours,
The Manchester Police Relief Association


Cathryn Pecore
Campaign Advisor
603-625-4676

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ANDREW H. SULLIVAN

Attorney At Law

P.O. Box 10354
24 Eastman Avenue
Bedford, New Hampshire 03110

August 1, 2006.
In Board of Mayor and Aldermen.

Tel (603) 644-5291
Fax (603) 644-0268

July 10, 2006

Mayor and Board of Alderman
C/o Leo R. Bernier
Clerk
City of Manchester
One City Hall Plaza
Manchester, NH 03101

On motion of Alderman Shea, duly seconded by Alderman DeVries, it was voted to refer to the Planning Board for review and report back to the Board and requesting that constituents be allowed to express their opposition at the next meeting.

On motion of Alderman DeVries, duly seconded by Alderman Shea, it was voted to forward to the Zoning Board of Adjustment requesting they rebale this item pending review by the Planning Board who will report back to the Board of Mayor and Aldermen.

L. N. Bernier

City Clerk

RE: RSA 674:41 and Corson Street (aka Glendale Extension), a private way

Gentlemen:

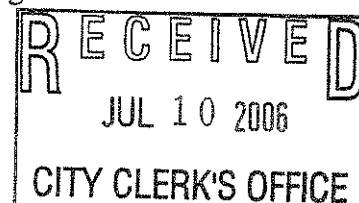
I represent Ronald and Diane St. Hilare and JAMBCO, Inc, owners of the two remaining undeveloped lots on Corson Street, a private way.

Corson Street (aka Glendale Avenue extension) was discontinued as a public road by the Mayor and Board of Alderman on April 6, 1982, reserving "access to lots owned by Mrs. Proulx available by means of easement to provide a right of way." See **Exhibit A** for copy of vote of discontinuance and release. See also a May 12, 1993 letter to you from Robert MacKenzie regarding the status of Corson Street, annexed hereto as **Exhibit B**.

Currently, Corson Street, including the two corner lots at the corner of Glendale Avenue and Corson Street, has nine lots fronting it. Seven of these lots are improved: the two corner lots with single-family homes; the other five lots with duplexes (most of which are condominium condexes). Corson Street is paved for its full width a depth of three lots, and paved for half-width, for the remainder of the street. The street is served with municipal water and sewer. However, as a private way, the street is plowed and maintained by the lot owners abutting the street. See **Exhibit C** for an aerial overlay picture.

Since April 1982, the Zoning Board of Administration (ZBA) has granted variances to build the five duplexes/condexes on Corson Street. The last variance for a duplex was granted by the ZBA in 1988. The variances were necessary because Corson Street is a private way without frontage on an accepted city street.

NHRSA 674:41, entitled: "Erection of Buildings on Streets; Appeals" addresses conditions upon which a building may be built on a lot abutting the street giving access to the lot. See **Exhibit D** for a copy of this statute.



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RSA 674:41 (I) (d) allows a building to be built on a private road provided that:

- (1) **The local governing body, after review and comment by the planning board, has voted to authorize the issuance of building permits for the erection of buildings on said private road or portion thereof; and**
- (2) The municipality neither assumes responsibility for maintenance of said private road nor liability for any damages resulting from the use thereof; and
- (3) Prior to the issuance of a building permit, the applicant shall produce evidence that notice of the limits of municipal responsibility and liability has been recorded in the county registry of deed for which the building permit is sought.

RSA 674:41 (II) provides, in part, that “whenever enforcement of the provisions of this section would entail practical difficulty or unnecessary hardship, and when the circumstances of the case do not require the building, structure or part thereof to be related to existing or proposed streets, the applicant may appeal from the decision of the administrative officer having charge of the issuance of permits to the *zoning board of adjustment*...”

In the instant case, the applicant submitted a variance request to allow the last two lots abutting Corson Street, after reconfiguring their shape and size, to become duplex lots (duplexes are allowed in this zone). This request was denied for lack of frontage and the applicant was advised of its right to appeal to the Zoning Board of Adjustment. See **Exhibit E** for copy of denial letter.

At the variance hearing held before the ZBA on July 6, 2006, the matter was continued to August 3, 2006, to allow the ZBA to seek an opinion from the City Solicitor’s office as to the ZBA’s jurisdiction to decide this matter. Apparently at issue for the ZBA is whether or not RSA 674:41 (I) (d) (1) requires the Mayor and Board of Alderman to first address this matter.

It is the applicant’s position that the Mayor and Board of Alderman, the Planning Board, and the ZBA have already addressed this matter by virtue of the granting of five variances to build duplexes on Corson Street since after the date it was discontinued from public servitude.

Through this letter, it is requested that the Mayor and Board of Alderman vote and affirm that, pursuant to RSA 674:41 (I) (d) (1), issuance of building permits on Corson Street, a private way, is authorized.

Timing is critical in this matter due to the August 3, 2006 ZBA meeting coming up.

Your prompt response will be appreciated.

Sincerely,

A handwritten signature in cursive script that reads "Andrew H. Sullivan". The signature is fluid and elegant, with a large initial 'A' and a long, sweeping tail on the 'y'.

Andrew H. Sullivan

Cc: Hon. Frank Guinta
Leon LaFreniere
Max Sink
Dan Muller, Esq.
Robert Mackenzie
Terry Harlacher

TO THE HONORABLE BOARD OF MAYOR AND ALDERMEN OF THE CITY OF MANCHESTER:

The undersigned respectfully represent that for the accommodation of the public there is occasion for the City to release and discharge from all public servitude Corson Street, so-called, bounded and described as follows: beginning at the intersection of the south line of Glendale Avenue and the west line of said Corson Street, said point being (200') two hundred feet east of the east line of Jewett Street.

Thence, southerly along the west line of said Corson Street (315.5') three hundred fifteen and five tenths feet to the southerly plotted terminus of said Corson Street, as shown on a plan entitled Revised Map of Bellevue Manor & Additions, Manchester, New Hampshire, owned by Albert W. Lacroix and dated July 1929, and filed at the Office of the City Department of Highways.

Said described line is the west line of the highway, the highway was to be (50') fifty feet in width and identified as Corson Street on the afore-mentioned plan.

They, therefore, request that you release and discharge the said Corson Street, as above described, from all public servitude.

Dated at the City of Manchester, New Hampshire, this 9th day of June 1981.

Arthur R. LeBlanc, 41 Jewett Street
Jean-Paul Martel, 95 Glendale Avenue
Edward L. Murphy, 23 Jewett Street
Dwight Fournier, 53 Jewett Street

At a meeting of the Board of Mayor and Aldermen held March 2, 1982 it was unanimously voted to hold a road hearing on all petitions filed with the City Clerk as of March 3, 1982 and further, that the hearing be held WEDNESDAY, MARCH 24, 1982, at 2:30 P.M. in the Aldermanic Chambers at City Hall.

SERVICE OF NOTICE

I hereby certify that on March 5, 1982, notice of a public hearing to be held on a petition for release and discharge of Corson Street, was served by certified mail on

Edward A. & Ida M. Grenier 115 Glendale Avenue Manchester, N.H. Cert NO. 732512	Germaine Proulx 103 Villa Street Manchester, N.H. Cert NO. 732513	Edward L. & Mary T. Murphy 23 Jewett Street Manchester, N.H. Cert NO. 732514	Arthur R. & Mary L. LeBlanc 41 Jewett Street Manchester, N.H. Cert NO. 732515
Dwight J. & Mary C. Fournier 53 Jewett Street Manchester, N.H. Cert NO. 732516	Jean-Paul & Germaine R. Martel 95 Glendale Avenue Manchester, N.H. Cert NO. 732517	Laurent N. & Marie V. Roy 106 Glendale Avenue Manchester, N.H. Cert NO. 732518	
Richard H. & Elaine C. Ferusse 122 Glendale Avenue Manchester, N.H. Cert NO. 732519	Leonard J. & Elizabeth M. Murphy 780 Cilley Road Manchester, N.H. Cert NO. 732520	Ronald A. & Ann R. Marquis 792 Cilley Road Manchester, N.H. Cert NO. 732721	

and posted a like attested copy at City Hall and at City Hall Annex, public places in the City of Manchester.

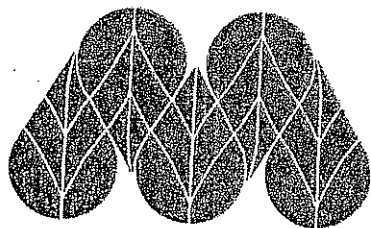
s/ Joan E. Walsh
City Clerk

Upon the foregoing petition, the Board of Mayor and Aldermen met at the time and place appointed, there being a quorum present and voting throughout, and having made a personal evaluation of the highway, the Board was of the opinion that for the accommodation of the public, there was occasion for releasing and discharging Corson Street from all public servitude as recited in the petition and, on motion made and duly seconded, it was voted to approve said releasing and discharging, with access to lots owned by Mrs. Proulx available by means of easement to provide a right of way.

Dated at the City of Manchester, New Hampshire, this 6th day of April 1982.

A true record. Attest.

Joan E. Walsh
City Clerk



City of Manchester
City Planning Department

The Beacon Building
814 Elm Street
Manchester, New Hampshire 03101
(603) 624-6450
FAX 624-6529

May 12, 1993

Honorable Board of Mayor and Aldermen
Committee on Public Works
City Hall
908 Elm Street
Manchester, New Hampshire 03101

c/o City Clerk

Gentlemen:

This is in regard to a request by the Sandpiper East Condominium Association to convert a private street - so called Corson Street - to a public street. I would like to offer some background information on this and then address several issues.

1) **Background.** Prior to 1982, Corson Street was a paper street which had been laid out as Bellevue Manor Addition in 1929 but had never been built. At the request of the abutting property owners, the Board of Mayor and Aldermen was released and discharged (discontinued) Corson Street in April of 1982. At that point in time, Corson Street lost all public status.

Shortly thereafter, a developer applied to the Zoning Board of Adjustment for a variance to modify lot lines and construct duplex units in this area (duplexes are allowed in this area but a variance was required since there was no frontage on a public street). Although the initial request was denied, a variance was granted upon appeal of the original decision. Following action by the ZBA, the City Solicitor noted that there were legal problems with the action relating to the lots and, therefore, an application was submitted to the Planning Board for subdivision action on the lot lines only (not for the construction of the buildings) which was subsequently approved. In 1988 two other variances were approved by the Zoning Board of Adjustment for duplexes along Corson Street.

In these various actions, it was understood that Corson Street would have to remain a private street. In at least one of the ZBA actions, it was a stipulation that the street remain private. Agreements were recorded at the Registry of deeds which indicated that the street was private and would be maintained as a private street. In a letter to City Solicitor explaining the Planning Board action dated March 29, 1983, John Grogan indicated

"There appeared to be two alternatives available. One was to require that all of the abutters join in re-dedicating the former Corson Street

MAY 14 9 36 AM '93

right-of-way as a Public street and providing for its improvement. The abutters did not appear to be interested in this alternative. In the absence of a Public way, the other alternative... was to recognize this as a private common drive and to receive the applicant's representations as to how he would provide for private improvements necessary for the development and for notice to the purchasers of the lots being developed of their obligations in maintaining the private driveway, utility connections, and refuse disposal... Their intent [Planning Board] in their actions was to insure that the purchasers of these lots understood their obligations and to protect the City against this becoming a Public way by gradual increments of service needs."

2) **Concern on accepting private streets "as is"**. There are dozens of private streets in the City which are normally associated with condominium projects. These streets are not built to the standards of public streets and typically are narrower, have no curbs, and the sub-base and wearing courses of pavement are normally not to standard. As such, the long term maintenance and repair costs will likely be higher than for public streets and the pavement width is not normally adequate for use as a public street. One of the reasons that the developers did not wish to create public streets in these projects was the cost associated with the higher standard.

Because of the above issues of construction standards and potential added costs to the public and because it may start a precedent for requests from other private street owners (several have expressed an interest in this), it is not recommended that the private street be accepted as a public street in "as is" condition. In addition, it may not be possible under state law for the City to accept the private street in this condition, as discussed below.

3) **State Law on Layout for existing private Rights-of-Way**. I believe that the controlling law on this matter may be N.H. RSA 231:28 - 33. The statute provides:

"Whenever,... the selectmen receive a petition to lay out roads over existing private rights-of-way... and such right-of-way does not conform to construction standards and requirements currently in effect in the town, the selectmen may conditionally lay out roads upon compliance with betterment assessments as provided in this section and in RSA 231:20-33.... If a highway is so laid out, the selectmen may construct, reconstruct, repair or cause to be constructed, reconstructed or repaired such highways, streets, roads, or traveled ways to conform in every way with the highway or street construction standards and regulations previously established by the town."

The statute also provides for certain hearing, notice and time stipulations. It would appear that the intent of the statute is to require reconstruction to standards in order for the City to accept a private street and that the costs for reconstruction may be assessed to the owners. This should be confirmed with the City Solicitor, however.

4) **Other legal questions**. Certain other legal issues should be reviewed. The effect of any action should be reviewed as to its effect on the stipulations of the Zoning Board of Adjustment in requir-

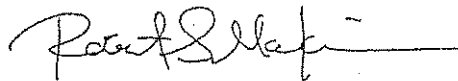
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ing the street to remain private. In addition, the condominium documents and other private agreements reference the street as being private and would have to be modified.

In summary, the City should be careful in acting upon requests for converting private streets to public status due to the establishment of precedent for the many private streets that currently exist in the City as well as the liability that may be incurred in future maintenance and repair costs. The most prudent course of action would be to closely follow state law in requiring private streets to be reconstructed to public standards and assessing the costs to the owners. In these cases, the owners must weigh the costs of improvements against the potential benefits of public street frontage.

If you have any questions, please feel free to contact me.

Sincerely,



Robert S. MacKenzie
Director of Planning

cc: Ted MacLeod
Tom Clark

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EXHIBIT C



Section 674:41

674:41 Erection of Buildings on Streets; Appeals. –

I. From and after the time when a planning board shall expressly have been granted the authority to approve or disapprove plats by a municipality, as described in RSA 674:35, no building shall be erected on any lot within any part of the municipality nor shall a building permit be issued for the erection of a building unless the street giving access to the lot upon which such building is proposed to be placed:

(a) Shall have been accepted or opened as, or shall otherwise have received the legal status of, a class V or better highway prior to that time; or

(b) Corresponds in its location and lines with:

- (1) A street shown on the official map; or
- (2) A street on a subdivision plat approved by the planning board; or
- (3) A street on a street plat made by and adopted by the planning board; or
- (4) A street located and accepted by the local legislative body of the municipality, after submission to the planning board, and, in case of the planning board's disapproval, by the favorable vote required in RSA 674:40; or

(c) Is a class VI highway, provided that:

(1) The local governing body after review and comment by the planning board has voted to authorize the issuance of building permits for the erection of buildings on said class VI highway or a portion thereof; and

(2) The municipality neither assumes responsibility for maintenance of said class VI highway nor liability for any damages resulting from the use thereof; and

(3) Prior to the issuance of a building permit, the applicant shall produce evidence that notice of the limits of municipal responsibility and liability has been recorded in the county registry of deeds; or

(d) Is a private road, provided that:

(1) The local governing body, after review and comment by the planning board, has voted to authorize the issuance of building permits for the erection of buildings on said private road or portion thereof; and

(2) The municipality neither assumes responsibility for maintenance of said private roads nor liability for any damages resulting from the use thereof; and

(3) Prior to the issuance of a building permit, the applicant shall produce evidence that notice of the limits of municipal responsibility and liability has been recorded in the county registry of deeds for the lot for which the building permit is sought; or

(e) Is an existing street constructed prior to the effective date of this subparagraph and is shown on a subdivision plat that was approved by the local governing body or zoning board of adjustment before the municipality authorized the planning board to approve or disapprove subdivision plats in accordance with RSA 674:35, if one or more buildings have been erected on other lots on the same street.

II. Whenever the enforcement of the provisions of this section would entail practical difficulty or unnecessary hardship, and when the circumstances of the case do not require the building, structure or part thereof to be related to existing or proposed streets, the applicant for such permit may appeal from the decision of the administrative officer having charge of the issuance of permits to the zoning board of adjustment in any municipality which has adopted zoning regulations in accordance with RSA 674, or, in municipalities in which no board of adjustment exists, to the local legislative body, or to a board of appeals, whichever is appropriate, in accordance with RSA 674:14 and 674:15, including the requirement for a public hearing. In a municipality which does not require building permits, direct application may be made to the zoning board of adjustment, or

the local legislative body, or the board of appeals for permission to erect the building. In passing on such appeal or application, the board of adjustment, local legislative body, or board of appeals may make any reasonable exception and shall have the power to authorize or issue a permit, subject to such conditions as it may impose, if the issuance of the permit or erection of the building would not tend to distort the official map or increase the difficulty of carrying out the master plan upon which it is based, and if erection of the building or issuance of the permit will not cause hardship to future purchasers or undue financial impact on the municipality. Any such decision made in this connection by a board of adjustment, local legislative body, or by a board of appeals pursuant to this section and RSA 674:14 and 674:15 shall be in writing, together with the reasons for the decision, and shall be subject to review in the manner described in RSA 677.

II-a. Municipalities may except any lot, including island lots for islands served exclusively by boats, from the requirements of paragraphs I and II by an affirmative vote of the local legislative body pursuant to RSA 675, first submitted to the planning board for its approval and:

(a) If approved by the board, approved by a majority of those present and voting at a regular or special meeting of the local legislative body; or

(b) If disapproved by the planning board, approved by not less than 2/3 of those present and voting at a regular or special meeting of the local legislative body.

III. This section shall supersede any less stringent local ordinance, code or regulation, and no existing lot or tract of land shall be exempted from the provisions of this section except in accordance with the procedures expressly set forth in this section. For purposes of paragraph I, "the street giving access to the lot" means a street or way abutting the lot and upon which the lot has frontage. It does not include a street from which the sole access to the lot is via a private easement or right-of-way, unless such easement or right-of-way also meets the criteria set forth in subparagraphs I(a), (b), (c), (d), or (e).

IV. In addition to the requirements for the erection of buildings in paragraph I and notwithstanding the exceptions provided in paragraph II, the planning board for a county in which there are located unincorporated towns or unorganized places shall require every building which is erected on leased land located within an unincorporated town or unorganized place to have a building permit. A building permit shall be required under this paragraph regardless of the proximity of the building to any street or highway. The county shall, by resolution, authorize the planning board to issue building permits under this paragraph.

Source. 1983, 447:1. 1988, 131:2, 3. 1989, 266:20. 1995, 291:10, eff. Aug. 20, 1995. 1998, 344:6, eff. Aug. 25, eff. 1998. 2002, 270:1, 5, eff. July 17, 2002. 2004, 154:1, 2, eff. July 23, 2004. 2005, 226:1, 2, eff. Sept. 3, 2005.

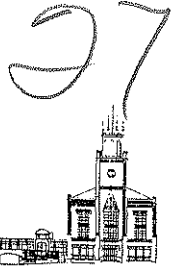


Leon L. LaFreniere
Building Commissioner

CITY OF MANCHESTER DEPARTMENT OF BUILDINGS

One City Hall Plaza
Manchester, New Hampshire 03101
Tel: (603) 624-6475
Fax: (603) 624-6324

EXHIBIT E



Matthew M. Sink
Deputy Bldg. Commissioner

April 25, 2006

JAMBCO INC
RONALD & DIANE ST. HILAIRE
ATTY. ANDY SULLIVAN (AGENT)
24 EASTMAN AVE.
BEDFORD, NH 03110

RE: 23 & 41 JEWETT ST B-2 S/A

Your application for a permit dated April 4, 2006, to consolidate adjacent lots and re-subdivide into 5 parcels, creating parcels 2 and 3 with no street frontage all as per plans submitted April 4, 2006 and with non-compliance listed in zoning review dated April 12, 2006, is hereby acknowledged.

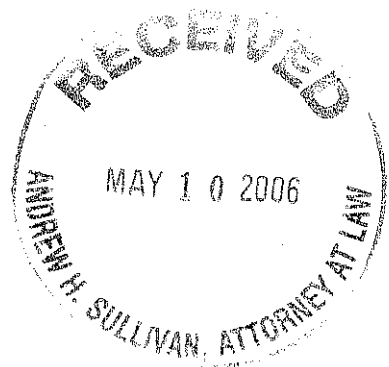
According to Section(s) 6.02 Lot frontage (parcels 2 & 3) District R-2 of the Zoning Ordinance of the City of Manchester, New Hampshire, passed to be ordained on February 7, 2001, this is prohibited. Further at parcels 2 & 3 N.H.R.S.A. Chap. 674:41 "Erection of Buildings" does not permit this issuance of this permit, but provides for appeal to the Board of Adjustment in such cases. Consequently, I have no authority to grant this permit. Permit is hereby DENIED.

Note: Subject to Subdivision Approval from the Planning Board; Parcel 5 subject to a Conditional Use Permit for a single family dwelling.

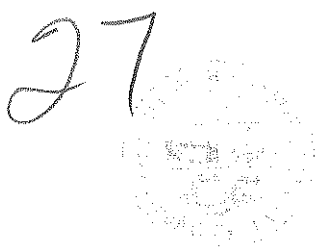
Further proceedings contemplated pertaining to this application must be pursuant to NH Revised Statutes Annotated 674:33 or other statutory provisions relative to Zoning Boards of Adjustment, as may be appropriate.

Signed

Building Commissioner



E-mail: building@ManchesterNH.gov
www.ManchesterNH.gov



CITY OF MANCHESTER
Office of the City Clerk



Leo R. Bernier
City Clerk

Carol A. Johnson
Deputy City Clerk

Paula L-Kang
Deputy Clerk
Administrative Services

Matthew Normand
Deputy Clerk
Licensing & Facilities

Patricia Piecuch
Deputy Clerk
Financial Administration

August 2, 2006

Kevin A. McCue, Chairman
Planning Board
One City Hall Plaza (West Wing)
Manchester, NH 03101

Re: Corson Street (aka Glendale Extension), a private way

Dear Chairman McCue and Board Members:

Please be advised that in action taken at a meeting of the Board of Mayor and Aldermen held on August 1, 2006, it was voted to request of the Planning Board that they review a request of Attorney Sullivan relative to the above-referenced with report back to the Board of Mayor and Aldermen. The Board also requested that constituents be allowed to express their opposition to this proposal at such time that it will appear before the Planning Board.

Enclosed for your review is a copy of a communication reflecting actions taken.

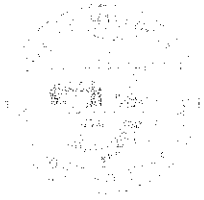
On behalf of the Board, your favorable consideration of this request would be greatly appreciated.

Sincerely,

Leo R. Bernier
City Clerk

Enclosure

pc: Zoning Board of Adjustment



CITY OF MANCHESTER
Office of the City Clerk

27



Leo R. Bernier
City Clerk

Carol A. Johnson
Deputy City Clerk

Paula L-Kang
Deputy Clerk
Administrative Services

Matthew Normand
Deputy Clerk
Licensing & Facilities

Patricia Piecuch
Deputy Clerk
Financial Administration

August 2, 2006

Steven J. Freeman, Chairman
Zoning Board of Adjustment
One City Hall Plaza (West Wing)
Manchester, NH 03101

Re: Case #78-ZO-2006
23 & 41 Jewett Street

Dear Chairman Freeman and Board Members:

Please be advised that in action taken at a meeting of the Board of Mayor and Aldermen held on August 1, 2006, it was voted to request of the Zoning Board of Adjustment that they retable the above-referenced petition pending review by the Planning Board who will report back to the Board of Mayor and Aldermen.

Enclosed for your review is a copy of a communication reflecting actions taken.

On behalf of the Board, your favorable consideration of this request would be greatly appreciated.

Sincerely,

Leo R. Bernier
City Clerk

Enclosure

pc: Planning Board

27

ANDREW H. SULLIVAN

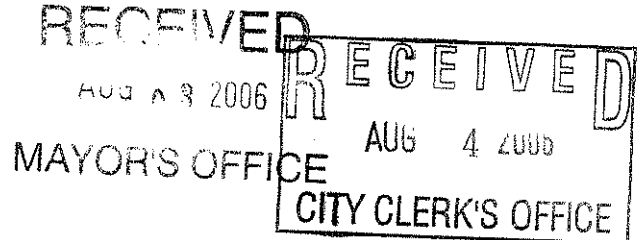
Attorney At Law

P.O. Box 10354
24 Eastman Avenue
Bedford, New Hampshire 03110

Tel (603) 644-5291
Fax (603) 644-0268

August 3, 2006

Mayor and Board of Alderman
C/o Leo R. Bernier
Clerk
City of Manchester
One City Hall Plaza
Manchester, NH 03101




RE: RSA 67:41 and Corson Street (aka Glendale Extentions), a private way

Gentlemen:

With regard to the above-reference matter, please let this letter serve as a **withdrawal**, *without prejudice*, of July 10, 2006 request to vote and affirm that pursuant to RSA 674:41 (l) (d) (1), issuance of building permits on Corson Street, a private way, is authorized.

Thank you.

Sincerely,


Andrew H. Sullivan

Cc: Leon LeFreniere
Max Sink
Dan Mueller, Esq.
Robert Mackenzie
Terry Harlacher
JAMBCO
R. St. Hilare

ANDREW H. SULLIVAN
Attorney At Law

27

P.O. Box 10354
24 Eastman Avenue
Bedford, New Hampshire 03110

Tel (603) 644-5291
Fax (603) 644-0268

August 4, 2006

Mayor and Board of Alderman
C/O Leo R. Bernier
Clerk
City of Manchester
One City Hall Plaza
Manchester, NH 03101

RE: RSA 674:41 :: Corson Street (aka Glendale Extension), a private way

Gentlemen:

On July 10, 2006, my office dropped off a request to affirm that, pursuant to RSA 674:41 (I) (d) (1), issuance of building permits on Corson Street, a private way, is authorized

This letter was a reaction to the ZBA's tabling of my request for variance to allow two duplex lots to be created on Corson Street despite having no frontage on an accepted city street.

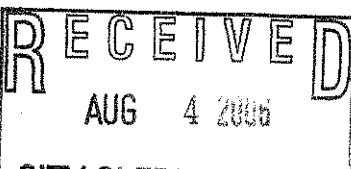
To prevent any further tabling of the variance due to the ZBA wanting to wait until the Mayor and Board of Alderman responded to my petition, my office filed a "withdrawal" with your office of the July 10, 2006 petition. This was filed late yesterday afternoon, being the same day as the next scheduled ZBA public hearing on the variance request.

However, yesterday, unbeknownst to me, your office had sent a request to the ZBA to table the hearing until the Mayor and Board of Alderman had received comment on the original petition from the Planning Board. Obviously, this request had been sent to the ZBA prior to the receipt of my withdrawal letter.

The Planning Board is scheduled to review the petition on August 10, 2006.

Since the Mayor and Board of Alderman are acting expeditiously to respond to the July 10, 2006 request, and since the ZBA has tabled the matter for one month, and since the Planning Board is scheduled to review the matter next week, it seems the best course of action is to withdraw the withdrawal and reinstate the original July 10, 2006 request.

Please therefore, accept this letter as withdrawal of the withdrawal requested by my August 3, letter (copy attached) and as a request to reinstate the original July 10, 2006 petition so that the review by the Mayor and Board of Alderman and the Planning Board may take place as now scheduled.



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I apologized for the confusion

Thank for your cooperation in this most important matter.

Sincerely,


Andrew H. Sullivan

Cc: Leon LeFreniere
Max Sink
Dan Mueller, Esq.
Robert Mackenzie
Terry Harlacher
JAMBCO
R. St. Hilare



27

City of Manchester Planning Board
c/o City of Manchester Planning & Community Development Dept.
One City Hall Plaza
Manchester, New Hampshire 03101
603-624-6450
Fax (603-624-6529)

August 14, 2006

Honorable Board of Mayor and Aldermen
City of Manchester
One City Hall Plaza
Manchester, NH 03101

Re: Corson Street

Dear Mayor Guinta and Board Members:

This letter is in response to your recent request to have the Planning Board review the matter pending before the Board of Mayor and Aldermen regarding the issuance of building permits on Corson Street, a private way.

The Planning Board added this item to their regularly scheduled meeting last Thursday evening, August 10, 2006. At that time, Planning Department staff presented our Board with research on the issue. Attorney Andrew Sullivan also had an opportunity to address our Board on behalf of his clients, and several abutters to the project spoke on the matter. After review of the findings and facts, the Planning Board recommends that the Board of Mayor and Aldermen ***not authorize building permits on Corson Street, a private way.***

Included with this letter is the report prepared and presented by the Planning staff. As you can see, the Planning staff does not believe that the application of RSA 674:41(I)(d) applies in this case because the lots on Corson Way do not currently exist. The Planning Board concurs.

Thank you for giving the Planning Board the opportunity to comment on this matter.

Sincerely,

Kevin A. McCue, Chairman
Manchester Planning Board

C: Robert S. MacKenzie, AICP, Planning Director
Steven Freeman, Chairman, ZBA

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TO: Planning Board

DATE: August 10, 2006

RE: Planning Department Staff comments: RSA 674:41 and Corson Street (aka Glendale Extension), a private way

In accordance with statutory authority contained within RSA 674:41, the Board of Mayor and Aldermen (BMA) have requested that the Planning Board provide comment with respect to information submitted to the BMA, a copy of which has been provided with the Planning Board agenda package.

With respect to any request for a building permit on a private street, there are two issues that are relevant. First, is the lot in question a legal non-conforming lot of record in accordance with the requirements of the Manchester Zoning Ordinance. Second, does the lot have legal rights to access to a private street.

NON-CONFORMING LOT – Section 11.03 (Non-Conforming Lots) of the zoning ordinance establishes criteria to determine if a lot complies. The subject request includes property in the ownership of Ronald & Diane St. Hilaire and JAMBCO, Inc.

- A) Property of St. Hilaire – Mr. & Mrs. St. Hilaire purchased property in January 1989. Exhibit A (attached) is the deed to St. Hilaire that describes one tract of land, and also notes that the tract was identified on a 1929 recorded plan entitled “Bellevue Manor & Additions”, being lots numbered 200, 201 & 231. The deed also refers to the previous conveyance of the same tract to Arthur & Mary LeBlanc. Mr. & Mrs LeBlanc purchased the tract in August 1955. Exhibit B (attached) is a copy of the recorded deed. A reading of the deeds will reveal that the descriptions of the tract are identical in describing one tract of land.
- B) Property of JAMBCO, Inc. – Jambco, Inc. purchased property in July 2005. Exhibit C (attached) is the deed from Mary Murphy to Jambco, Inc. that describes one tract of land. The deed refers to a previous conveyance of the same property recorded as Bk 1686, Page 363, at the Hillsborough County Registry of Deeds. This deed Exhibit D (attached) is a deed to Mary Murphy from Thelma G. Willoughby, in May 1962. A reading of these deeds will reveal that the descriptions of the tract are identical in describing one tract.

The request contends that a building permit should be authorized for lots fronting on a private street. Application of RSA 674:41 (I) (d) is based on the principal that the lot (s) only have frontage on a private street. Based upon a reading of the applicable deeds, neither the St. Hilaire property or the Jambco, Inc. property meet this requirement. While historically, each of the tracts represents an assemblage of parcels, the properties have

been in common ownership, and have been described as such, since 1955 & 1962, respectively. Since, each of the properties have been described as one lot, prior to the adoption of the current Manchester Zoning Ordinance, and since each tract already contains a residential dwelling with a Jewett Street address, it is the opinion of the staff that application of RSA 674:41 does not apply.

PRIVATE STREET ACCESS – The request for a building permit is based upon the contention that the properties have legal rights of access to former Corson Street.

Exhibit E – is a copy of the recorded plan of “Bellevue Manor & Additions”, dated 1929. For ease of viewing, the staff has enlarged a section of this plan that focuses on the lower left portion that includes the area adjacent to Corson Street, this is identified as Exhibit F.

Rights of private access to a paper street, including a discontinued street, are based upon New Hampshire case law that defines ownership of property to the “centerline” of the adjacent street. The “presumption” is that all property owners own to the centerline of the adjacent street, thereby guaranteeing “private” rights of passage over the paper street and/or discontinued street.

With respect to property of Mr. & Mrs. St. Hilaire, they are the owners of a tract that contains three former parcels within the “Bellevue Manor & Additions” subdivision. Exhibit F identifies these former parcels as 200, 201, & 231. It is therefore “presumed” that the St. Hilaire property includes one-half of the former Corson Street right of way for a distance of approx. 50 ft. However, since the property is one tract, containing an existing residential dwelling, and has frontage on an accepted city street with a street address of 41 Jewett Street, the application of RSA 674:41 does not apply.

With respect to property of Jambco, Inc., they are the owners of a single lot that prior to 1962 was part of a larger tract, as described in a deed Book 1198, Page 377. Exhibit F refers to a portion of the boundary of the Jambco, Inc. property, as being owned by Mills & Corson, in 1929. This exhibit is also important because it identifies that the Mills/Corson property (aka Jambco, Inc. property) was not included within the “Bellevue Manor & Additions” subdivision. The presumption of ownership to the centerline of Corson Street, therefore, does not apply to the property boundary of Jambco, Inc. (Corson) property. It also appears that Lots 232, 233, 234 own the entire right of way of former Corson Street, based upon application of New Hampshire case law. It is therefore concluded that since the property is one tract, containing a residential dwelling, and has frontage on an accepted city street with a street address of 23 Jewett Street, the application of RSA 674:41 does not apply.

CONCLUSION – The request to the Board of Mayor and Aldermen is to authorize building permits on “reconfigured” lots (lots that do not currently exist), refer to Exhibit G for the subdivision illustration. The Zoning Board of Adjustment is currently considering an application to create two (2) new lots fronting on former Corson Street. If the Board of Mayor and Aldermen authorize building permits, and if the ZBA grants the necessary variances to create two lots fronting on former

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Corson Street, then a subdivision application will be submitted to the Planning Board, to create the lots. The application of RSA 674:41 (I) (d) should only be applied in instances when the lot is an "existing" nonconforming lot of record. In a previous application of this statute, the Planning Board recommended support to build on existing nonconforming lots, at the northerly end of Watts Street. It is therefore recommended that the Planning Board submit a recommendation to the Board of Mayor and Aldermen that building permits not be authorized, on Corson Street, a private way, given the findings of fact described above.

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503-16A

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS: That Arthur E. LeBlanc and Mary L. LeBlanc a/k/a Louise LeBlanc, husband and wife, of 41 Jewett Street, Manchester, NH 03103, for consideration paid grantin

03 JAN 13 1969

A certain tract of land, with the buildings thereon, situate in Manchester, Hillsborough County, State of New Hampshire, bounded and described as follows:

Beginning on the east side of Jewett Street at the southwest corner of Lot No. 202, thence easterly by lots numbered 201 and 200, 200 feet; thence southerly by Carson Street, 50 feet; thence westerly by land now or formerly of Carson, 101 feet; thence southerly by land of said Carson, 40 feet 1 inch to land now or formerly of Mills; thence westerly by land of said Mills, 100 feet; thence northerly by Jewett Street, 60.5 feet to the point of beginning.

201

Said premises are known as lots numbered 200, 201 and 231, on Jewett Street and Carson Street, as shown on a plan of Bellevue Manor & Additions, made by B.R. Chaplin, C.E., July, 1929, and filed in the Hillsborough County Registry of Deeds as Plan #579.

10206

Meaning and intending to describe and convey the same premises conveyed to Arthur E. LeBlanc and Mary L. LeBlanc by deed of Robert E. Douglas and Anna J. Douglas dated August 9, 1955 recorded in Volume 1640, page 93, Hillsborough County Registry of Deeds.

We, the grantors herein hereby release all rights of homestead in the above described premises.

Executed this 12th day of January, 1969.

Arthur E. LeBlanc

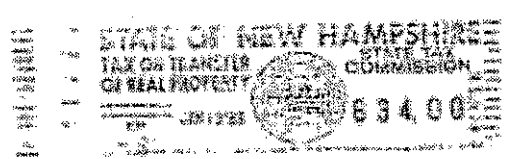
Mary L. LeBlanc a/k/a Louise LeBlanc

State of New Hampshire
County of Hillsborough

Then personally appeared before me this January 12, 1969, the said Arthur E. LeBlanc and Mary L. LeBlanc a/k/a Louise LeBlanc, and acknowledged the foregoing to be their voluntary act and deed.

Notary Public/Justice of The Peace

Commission expiration:



65079 101576

STATE OF NEW HAMPSHIRE

(Illegible signature)

Know All Men By These Presents

THAT we, Robert H. Douglas and Anna J. Douglas, of Manchester, Hillsborough County, New Hampshire,

for and in consideration of the sum of one dollar and other valuable considerations to grantor in hand, before the delivery hereof, well and truly paid by grantees hereafter named, do hereby grant, bargain, sell, and convey unto

Arthur R. LeBlanc and Mary L. LeBlanc, husband and wife of Manchester, Hillsborough County, New Hampshire, as JOINT TENANTS, with right of survivorship, but not as tenants in common, their assigns and the heirs and assigns of the survivor, forever,

A tract of land, with the buildings thereon, situate in Manchester, Hillsborough County, New Hampshire, bounded and described as follows, to wit:-

Beginning on the east side of Jewett Street at the southwest corner of Lot No. 202, thence easterly by Lots numbered 202 and 230, 200 feet; thence southerly by Corson Street, 50 feet; thence westerly by land now or formerly of Corson, 101 feet; thence southerly by land of said Corson, 40 feet 1 inch to land now or formerly of Mills; thence westerly by land of said Mills, 100 feet; thence northerly by Jewett Street, 69.6 feet to the point of beginning.

Said premises are known as Lots numbered 200, 201 and 231, on Jewett Street and Corson Street, as shown on a plan of Bellevue Manor & Additions, made by D. R. Chaplin, C. E., July 1929, and filed in the Hillsborough County Registry of Deeds as Plan #579.

Being the same premises conveyed to Robert H. Douglas and Anna J. Douglas by Alfred Labrie and Mary Labrie, by deed dated March 26, 1953, recorded in Volume 1351, Page 38 of the Hillsborough County Registry of Deeds.

TO HAVE AND TO HOLD the said premises, with all privileges and appurtenances to the same belonging, to the said grantees, and the survivor of them, their heirs and assigns, to their use forever. And the said grantor for himself and his heirs, executors, and administrators covenant that he is the owner of said premises, seized thereof in fee simple, with full power and authority to grant and convey the same in manner aforesaid, that the premises are free and clear from all encumbrances, except taxes for the year beginning April 1, 1955,

and that the grantor, his heirs, executors and administrators, shall warrant and defend the same to the said grantees and their heirs and assigns against the lawful claims and demands of all persons whomsoever.

AND

we are husband and wife, and all right of dower, curtesy, homestead, and other interest in said premises,

WITNESS our hand and seal this 9th day of August, 1955.

Signed, sealed and delivered in the presence of

Harry E. Merrill
testeth

Robert H. Douglas
Anna J. Douglas

STATE OF NEW HAMPSHIRE, HILLSBOROUGH, SS.

August 9, 1955

Personally appeared Robert H. Douglas and Anna J. Douglas

known to me to be the above named, and acknowledged the foregoing to be their free act and deed. Before me,

Harry E. Merrill
Notary Public - Justice of the Peace.

HILLSBOROUGH, SS: Received and recorded

8-30 A.M., August 29, 1955.

Examined by

Esther Corbitt

Register.

1420

93



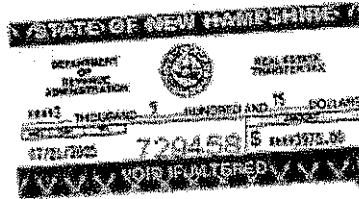
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5059534

2005 JUL 21 AM 9:14

503-16

Return to:
Jansco Inc.
170 Bridge Street
Manchester, NH 03104



2.37 3995.00
37 B

WARRANTY DEED

Mary T. Murphy, unmarried, of 23 Jewett Street, Manchester, NH, for consideration paid grant to Jansco Inc., a New Hampshire Corporation, of 170 Bridge Street, Manchester, NH, with warranty covenants:

A certain tract of land, with the buildings thereon, situated in the City of Manchester, County of Hillsborough and State of New Hampshire, bounded and described as follows:

Beginning on the easterly line of Jewett Street, at a point 20' northerly from an oak stake, which is 60' northerly from the northerly line of Cilley Road;

1. Easterly, by land, now or formerly of Mary Murphy, 147.67' to a point located 46.23' northerly from an oak stake;
2. Northerly, by land of said Murphy, 58', more or less, to the northwest corner of said Murphy land;
3. Easterly, 50', more or less, to Corson Street;
4. Northerly, 100', more or less, to Lot No. 231, as shown on a plan of Bellevue Manor;
5. Westerly, 101', more or less, to Lot No. 201;
6. Southerly, by Lots No. 201 and 200, 40';
7. Westerly, by Lot No. 200, 100';
8. Southerly, by Jewett Street, 145', more or less, to the point of beginning.

Meaning and intending to describe and convey the same premises as conveyed to the within Grantor by Deed recorded in Book 1666, Page 363 of the Hillsborough County Registry of Deeds.

23 Jewett Street, Manchester, NH 03103

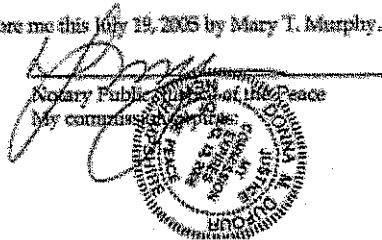
Executed this July 19, 2005.

Mary T. Murphy
Mary T. Murphy

STATE OF NEW HAMPSHIRE
Hillsborough SS

The foregoing was acknowledged before me this July 19, 2005 by Mary T. Murphy.

Buyer's Initials



(EXHIBIT C)

Know All Men by These Presents

THAT I, Thelma G. Willoughby, of Manchester, Hillsborough County, New Hampshire,

for and in consideration of the sum of one dollar and other valuable considerations to grantor in hand, before the delivery hereof, well and truly paid by grantees hereafter named, do hereby grant, bargain, sell, and convey unto

Edward L. Murphy and Mary T. Murphy, husband and wife, of said Manchester, as JOINT TENANTS, with right of survivorship, but not as tenants in common, their assigns and the heirs and assigns of the survivor, forever,

27 W (4)

A tract of land, with the buildings thereon, situate in Manchester, Hillsborough County, New Hampshire, bounded and described as follows:-

Beginning on the easterly line of Jewett Street at a point 20 feet northerly from an oak stake which stake is 60 feet northerly from the northerly line of Cilley Road: thence easterly by land now or formerly of Mary Murphy 1:7.67 feet to a point located 46.33 feet northerly from an oak stake: thence northerly by land of said Murphy 58 feet, more or less, to the northwest corner of said Murphy land; thence easterly by land of said Murphy 50 feet, more or less, to Corson Street: thence northerly by Corson Street 100 feet, more or less, to Lot No. 231, as shown on a plan of Bellevue Manor; thence westerly by Lot No. 231, 101 feet, more or less, to Lot No. 201: thence southerly by Lots numbered 201 and 200, 40 feet: thence westerly by Lot No. 200, 100 feet: thence southerly by Jewett Street 145 feet, more or less, to the point of beginning.

Being part of the premises conveyed to Arthur P. Willoughby and Thelma G. Willoughby, as joint tenants, by Margaret M. Corson, by deed dated August 16, 1948, recorded in Volume 1198, Page 377, of the Hillsborough County Registry of Deeds, and the title of Thelma G. Willoughby is further derived by survivorship, the said Arthur P. Willoughby, her father, being now deceased.

TO HAVE AND TO HOLD the said premises, with all privileges and appurtenances to the same belonging, to the said grantees, and the survivor of them, their heirs and assigns, to their use forever. And the said grantor for himself and his heirs, executors, and administrators covenant that he is the owner of said premises, seized thereof in fee simple, with full power and authority to grant and convey the same in manner aforesaid, that the premises are free and clear from all encumbrances, except taxes for the year beginning April 1, 1962,

and that the grantor, his heirs, executors and administrators, shall warrant and defend the same to the said grantees and their heirs and assigns against the lawful claims and demands of all persons whomsoever.

AND I, am unmarried, and

~~except to the extent of the interest of the grantor in said premises,~~ ~~except to the extent of the interest of the grantor in said premises,~~ all right of dower, curtesy, homestead, and other interest in said premises,

WITNESS my hand and seal this 24th day of May 1962.

Signed, sealed and delivered in the presence of

David V. Pugh

STATE OF NEW HAMPSHIRE, HILLSBOROUGH, SS.

May 24,

1962.

Personally appeared *Thelma G. Willoughby*

known to me to be the above named, and acknowledged the foregoing to be her free act and deed. Before me,

David V. Pugh
Notary Public—Justice of the Peace.

1.

HILLSBOROUGH, SS. Received and recorded

8-30 A.M., May 31, 1962.

Examined by

David V. Pugh

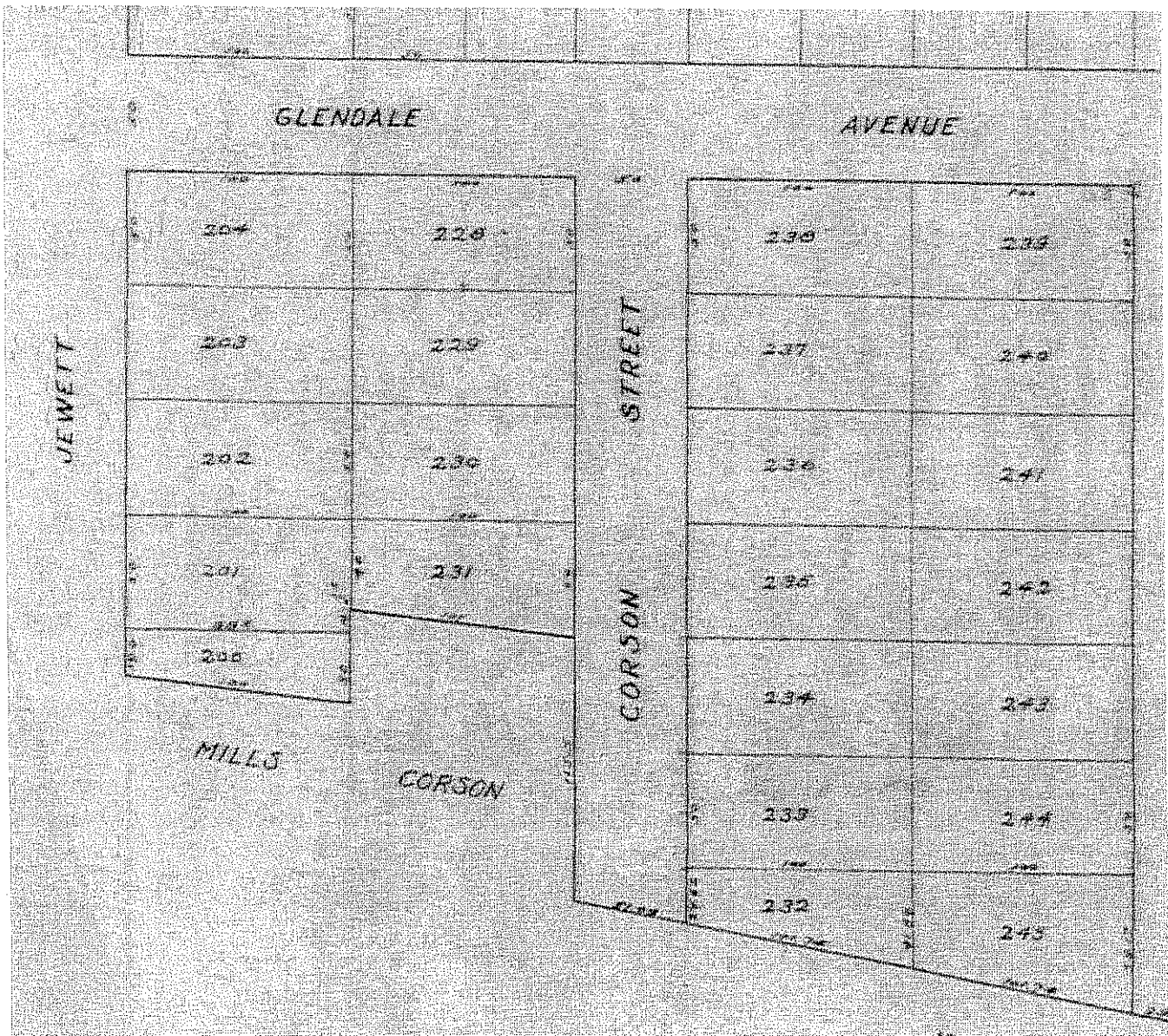
Register.

(EXHIBIT D)

Jambor Prop.

27
Harlacher, Terry

From: MICCIO, Martin
Sent: Monday, August 07, 2006 9:55 AM
To: Harlacher, Terry
Subject: Corson St



8/7/2006

(EXHIBIT F)

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City of Manchester
New Hampshire

In the year Two Thousand and Six

AN ORDINANCE

"Amending Section 33.026 (Computer Operator II & Web Services Administrator) of the Code of Ordinances of the City of Manchester."

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester, as follows:

SECTION 33.026 CLASS SPECIFICATIONS be amended as follows

Change Class Specification for Computer Operator II, Grade 14, Class Code 2140, non-exempt (see attachment)

Change Class Specification for Web Services Administrator, Class Code 2196, Grade 21, exempt (see attachment)

This Ordinance shall take effect upon its passage and all Ordinances or parts of Ordinances inconsistent therewith are hereby repealed.

City of Manchester, New Hampshire

Class Specification

This is a class specification and not an individualized job description. A class specification defines the general character and scope of responsibilities of all positions in a job classification, but it is not intended to describe and does not necessarily list every duty for a given position in a classification.

Class Title	Computer Operator II
Class Code Number	2140-14

General Statement of Duties

Operates a centralized computer system; performs directly related work as required.

Distinguishing Features of the Class

The principal function of an employee in this class is to operate a centralized computer to provide scheduled data processing service for users in the City. The work is performed under the supervision and direction of the Systems/Programming Systems/Development Manager but considerable leeway is granted for the exercise of independent judgement and initiative. This class is distinguished from the class of Computer Operator I by the additional responsibility of scheduling and organizing operating work. The nature of the work performed requires that an employee in this class establish and maintain effective working relationships with other computer operators, other City employees and the public. The principal duties of this class are performed in a general office environment and various field locations.

Examples of Essential Work (illustrative only)

- Schedules and organizes work assignments for Computer Operators; computer operations;
- Sets up jobs and operates centralized computer equipment in conformance with established policies, procedures and schedules;

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- Monitors centralized computer operation, identifying and resolving problems within established procedures;
- Prepares job output for users;
- Provides on-call user support in computer and network problem resolution, referring problems as necessary;
- Maintains required reports and documentation for all jobs;
- Maintains work area according to procedures;
- Performs ~~micro-computer data transfer~~ data transfers using networks;
- Monitors City telecommunications networks and resolves problems;
- Coordinates activities with personnel in the same class;
- Sets job parameters as required, using appropriate job control language;
- Performs established backup procedures for centralized and networks;
- Provides needed information and demonstrations concerning how to perform certain work tasks to new employees in the department;
- Keeps immediate supervisor and designated others fully and accurately informed concerning work progress, including present and potential work problems and suggestions for new or improved ways of addressing such problems;
- Attends meetings, conferences, workshops and training sessions and reviews publications and audio-visual materials to become and remain current on the principles, practices and new developments in assigned work areas;
- Responds to questions and comments from City department heads and other users in a courteous and timely manner;
- Communicates and coordinates regularly with appropriate others to maximize the effectiveness and efficiency of interdepartmental operations and activities;
- Performs other directly related duties consistent with the role and function of the classification.

<p style="text-align: center;">Required Knowledge, Skills and Abilities (at time of appointment)</p>
--

- Substantial knowledge of computer operations in the City, including centralized computers and network operation, maintenance, and troubleshooting;
- Substantial knowledge of City computing resources and related networks;
- Substantial knowledge of data processing, practices and procedures;
- Substantial knowledge of the operation and maintenance of centralized computers equipment, networks, and software;
- Substantial knowledge of centralized computer job control language;
- Substantial knowledge of data processing troubleshooting principals and practices;
- Ability to communicate effectively with others, both orally and in writing, using both technical and non-technical language;
- Ability to understand and follow oral and/or written policies, procedures and instructions;
- Ability to prepare and present accurate and reliable reports containing findings and recommendations;

- Ability to operate a personal computer using standard or customized software applications appropriate to assigned tasks;
- Ability to use logical and creative thought processes to develop solutions according to written specifications and/or oral instructions;
- Ability to perform a wide variety of duties and responsibilities with accuracy and speed under the pressure of time-sensitive deadlines;
- Ability and willingness to quickly learn and put to use new skills and knowledge brought about by rapidly changing information and/or technology;
- Integrity, ingenuity and inventiveness in the performance of assigned tasks.

Acceptable Experience and Training

- Graduation from High School; and
- Some experience in operating centralized computer systems and networks; or
- Any equivalent combination of experience and training which provides the knowledge, skills and abilities necessary to perform the work.

Required Special Qualifications

- Valid Driver's License.

Essential Physical Abilities

- Sufficient clarity of speech and hearing or other communication capabilities, with or without reasonable accommodation, which permits the employee to communicate effectively;
- Sufficient vision or other powers of observation, with or without reasonable accommodation, which permits the employee to monitor computer operations, diagnose computer and network problems and to review a wide variety of materials in electronic or hardcopy form;
- Sufficient manual dexterity with or without reasonable accommodation, which permits the employee to load and operate computer systems, networks and related equipment;
- Sufficient personal mobility and physical reflexes, with or without reasonable accommodation, which permits the employee to transport assigned equipment as necessary to perform timely computer system and network operation procedures, and to function within the general office environment.

28

Computer Operator II--2140

Page 4

Approved by: _____ Date: _____



City of Manchester, New Hampshire

Class Specification

This is a class specification and not an individualized job description. A class specification defines the general character and scope of responsibilities of all positions in a job classification, but it is not intended to describe and does not necessarily list every duty for a given position in a classification.

Class Title	Web Services Administrator
Class Code Number	2196-21

General Statement of Duties

Leads in the definition of the City's strategic Web direction. Works with departments for determination, implementation and support of Web applications. Recommends Web architecture design and develops an implementation plan that is consistent with the City's strategic goals and objectives. Is responsible for ensuring sound definition, structure, operations and documentation for the City's Web site.

Distinguishing Features of the Class

The principal function of an employee in this class is to ensure professional principles are applied in the support of the City's Web site. The work is performed under the supervision and direction of the Systems and Programming Systems/Development Manager and Information Services Director but considerable leeway is granted for the exercise of independent judgement and initiative. The nature of the work performed requires that an employee in this class establish and maintain effective working relationships with other City employees, outside contractors and the public. The principal duties of this class are performed in a general office environment.

Examples of Essential Work (Illustrative Only)

- Plans, organizes and provides technical support for the City's Web site;
- Establishes methods and criteria for the evaluation, selection, installation and configuration of Web site software;

- Develops standards and procedures for the selection and use of web development and processing software.
- Develops policies regarding security and disaster recovery relative to the City Web site;
- Monitors and analyzes Web site statistics and makes appropriate modifications and recommendations as required.
- Performs troubleshooting and problem resolution on Web site applications.
- Reviews and analyzes user requests for Web applications, including advising and recommending the feasibility of proposed requests;
- Develops technical specifications for proposals and bids, including assisting in the evaluation process;
- Provides technical and operational training and support, including writing technical and operational documentation;
- Provides technical advice in evaluating applications for use on the City's Web site;
- Provides needed information and demonstrations concerning how to perform certain work tasks to new employees in the same or similar class of positions;
- Keeps immediate supervisor and designated others fully and accurately informed concerning work progress, including present and potential work problems and suggestions for new or improved ways of addressing such problems;
- Attends meetings, conferences, workshops and training sessions and reviews publications and audio-visual materials to become and remain current on the principles, practices and new developments in assigned work areas;
- Communicates and coordinates regularly with appropriate others to maximize the effectiveness and efficiency of interdepartmental operations and activities;
- Performs other directly related duties consistent with the role and function of the classification.

Required Knowledge, Skills and Abilities

- Comprehensive knowledge of all facets of Web site development.
- Comprehensive knowledge of Web infrastructure and interactive components.
- Ability to translate needs analysis data into formal designs.
- Must be able to effectively and professionally communicate with management, staff, City personnel, including department heads and officials, personnel from agencies the City may be linked to, and outside contractors and vendors, both orally and in writing, using both technical and non-technical language.
- Must demonstrate sound judgement and reasoning skills.
- Ability to define problems, collect data, establish facts, draw valid conclusions and solve problems in a timely and accurate manner.
- Thorough knowledge of relational database concepts and project management.
- Thorough knowledge of office terminology, procedures and equipment;
- Ability to operate a personal computer using standard or customized software applications appropriate to assigned tasks;
- Ability to understand system user problems and needs;
- Ability to develop software customization and programming to enhance user productivity;

- Ability to understand and follow oral and/or written policies, procedures and instructions;
- Ability to prepare and present accurate and reliable reports containing findings and recommendations;
- Ability to use logical and creative thought processes to develop solutions according to written specifications and/or oral instructions;
- Ability to perform a wide variety of duties and responsibilities with accuracy and speed under the pressure of time-sensitive deadlines;
- Ability and willingness to quickly learn and put to use new skills and knowledge brought about by rapidly changing information and/or technology;
- Integrity, ingenuity and inventiveness in the performance of assigned tasks.

Acceptable Experience and Training

- Graduation from an accredited college or university with a Bachelor's Degree in Computer Science; and
- Extensive experience in Web site design and development; or
- Any equivalent combination of experience and training which provides the knowledge, skills and abilities necessary to perform the work.

Required Special Qualifications

- None.

Essential Physical Abilities

- Sufficient clarity of speech and hearing or other communication capabilities, with or without reasonable accommodation, which permits the employee to communicate effectively.
- Sufficient vision or other powers of observation, with or without reasonable accommodation, which permits the employee to review a wide variety of materials in electronic or hardcopy form.
- Sufficient manual dexterity with or without reasonable accommodation, which permits the employee to operate personal computers and related equipment.
- Sufficient personal mobility and physical reflexes, with or without reasonable accommodation, which permits the employee to perform timely Web maintenance and to function within the general office environment.

Approved by: _____ Date: _____

Established: _____

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City of Manchester
New Hampshire

In the year Two Thousand and Six

A RESOLUTION

“Authorizing Bonds, Notes or Lease Purchases in the amount of One Million Seven Hundred Fifty Thousand Dollars (\$1,750,000) for the 2007 CIP 511307, JFK Coliseum Rehabilitation Project.”

Resolved by the Board of Mayor and Aldermen of the City of Manchester as follows:

SECTION 1. That there be and hereby is authorized under and pursuant to the Municipal Finance Act, and any other enabling authority, the issuance and sale of general obligation serial bonds, notes or lease purchases of the City in the aggregate principal amount of One Million Seven Hundred Fifty Thousand Dollars (\$1,750,000) at one time or from time to time as one or more separate bond, note or lease purchase issues for purposes stated in Section 3 of said Act, as more specifically hereinafter indicated. The bonds, notes or lease purchases of each issue shall bear the City Seal, shall be signed by the manual or facsimile signature of the Mayor, countersigned by the manual or facsimile signature of the Finance Officer and shall be payable in such annual installments as shall be determined by the Finance Officer with the approval of the Mayor. Except as otherwise provided by law and this Resolution, discretion to fix the date, maturities, denomination, place of payment, form and other details of each issue of said bonds, notes or lease purchases and of providing for the sale thereof is hereby delegated to the Finance Officer.

SECTION 2. That the proceeds of said bonds, notes or lease purchases be and they are hereby appropriated for the purpose of financing costs of the following public works and improvements of a permanent nature, hereby authorized namely,

<u>Purpose</u>	<u>Amount</u>
2007 CIP 511307, JFK Coliseum Rehabilitation Project	\$1,750,000

It is hereby declared that the public works and improvements to be financed by said bonds, notes or lease purchases have a useful life in excess of 20 years.

SECTION 3. That the Finance Officer, with the approval of the Mayor, is hereby authorized to issue at one time or from time to time notes in anticipation of said bonds, notes or lease purchases and to renew or refund the same under and pursuant to and to the extent authorized by RSA 33:7a.

SECTION 4. That an amount sufficient to pay the principal of and interest on said bonds, notes or lease purchases payable in each year during which they are outstanding be and hereby is appropriated and, to the extent other funds are not available for such purpose, said amount shall be included in the tax levy for each year until the debt represented by said bonds, notes or lease purchases is extinguished.

City of Manchester New Hampshire

In the year Two Thousand and Six

A RESOLUTION

"Authorizing Bonds, Notes or Lease Purchases in the amount of One Million Seven Hundred Fifty Thousand Dollars (\$1,750,000) for the 2007 CIP 511307, JFK Coliseum Rehabilitation Project."

Resolved by the Board of Mayor and Aldermen of the City of Manchester as follows:

SECTION 5. That the bonds, notes or lease purchases herein authorized may be consolidated with any other issue of bonds, notes or lease purchases heretofore or hereafter authorized, provided that the last annual installment of any such consolidated issue shall be payable not later than the date on which the last annual installment of the bonds, notes or lease purchases herein authorized must be payable pursuant to this Resolution.

SECTION 6. This Resolution shall take effect upon its passage.

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City of Manchester New Hampshire

In the year Two Thousand and Six

A RESOLUTION

“Authorizing Bonds, Notes or Lease Purchases in the amount of Four Million Dollars (\$4,000,000) for the 2007 CIP 712407, Cohas Phase 2 – Contract 2 Project.”

Resolved by the Board of Mayor and Aldermen of the City of Manchester as follows:

SECTION 1. That there be and hereby is authorized under and pursuant to the Municipal Finance Act, and any other enabling authority, the issuance and sale of general obligation serial bonds, notes or lease purchases of the City in the aggregate principal amount of Four Million Dollars (\$4,000,000) at one time or from time to time as one or more separate bond, note or lease purchase issues for purposes stated in Section 3 of said Act, as more specifically hereinafter indicated. The bonds, notes or lease purchases of each issue shall bear the City Seal, shall be signed by the manual or facsimile signature of the Mayor, countersigned by the manual or facsimile signature of the Finance Officer and shall be payable in such annual installments as shall be determined by the Finance Officer with the approval of the Mayor. Except as otherwise provided by law and this Resolution, discretion to fix the date, maturities, denomination, place of payment, form and other details of each issue of said bonds, notes or lease purchases and of providing for the sale thereof is hereby delegated to the Finance Officer.

SECTION 2. That the proceeds of said bonds, notes or lease purchases be and they are hereby appropriated for the purpose of financing costs of the following public works and improvements of a permanent nature, hereby authorized namely,

<u>Purpose</u>	<u>Amount</u>
2007 CIP 712407, Cohas Phase 2 – Contract 2	\$4,000,000

It is hereby declared that the public works and improvements to be financed by said bonds, notes or lease purchases have a useful life in excess of 20 years.

SECTION 3. That the Finance Officer, with the approval of the Mayor, is hereby authorized to issue at one time or from time to time notes in anticipation of said bonds, notes or lease purchases and to renew or refund the same under and pursuant to and to the extent authorized by RSA 33:7a.

SECTION 4. That an amount sufficient to pay the principal of and interest on said bonds, notes or lease purchases payable in each year during which they are outstanding be and hereby is appropriated and, to the extent other funds are not available for such purpose, said amount shall be included in the tax levy for each year until the debt represented by said bonds, notes or lease purchases is extinguished.

City of Manchester New Hampshire

In the year Two Thousand and Six

A RESOLUTION

“Authorizing Bonds, Notes or Lease Purchases in the amount of Four Million Dollars (\$4,000,000) for the 2007 CIP 712407, Cohas Phase 2 – Contract 2 Project.”

Resolved by the Board of Mayor and Aldermen of the City of Manchester as follows:

SECTION 5. That the bonds, notes or lease purchases herein authorized may be consolidated with any other issue of bonds, notes or lease purchases heretofore or hereafter authorized, provided that the last annual installment of any such consolidated issue shall be payable not later than the date on which the last annual installment of the bonds, notes or lease purchases herein authorized must be payable pursuant to this Resolution.

SECTION 6. This Resolution shall take effect upon its passage.

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City of Manchester New Hampshire

In the year Two Thousand and Six

A RESOLUTION

“Amending the FY 2007 Community Improvement Program, authorizing and appropriating funds in the amount of Four Thousand Five Hundred Dollars (\$4,500) for the FY2007 CIP 214007 Southern NH Area Health Education Center Program.”

Resolved by the Board of Mayor and Aldermen of the City of Manchester as follows:

WHEREAS, the Board of Mayor and Aldermen has approved the 2007 CIP as contained in the 2007 CIP budget; and

WHEREAS, Table 1 contains all sources of State, Federal and Other funds to be used in the execution of projects; and

WHEREAS, the Board of Mayor and Aldermen wishes to accept grant funds in the amount of \$4,500 from the Southern NH Area Health Education Center to provide education to students with asthma;

NOW, THEREFORE, be it resolved that the 2007 CIP be amended as follows:

By adding:

FY2007 CIP 214007 – Southern NH Area Health Education Center Program - \$4,500 Other

Resolved, that this Resolution shall take effect upon its passage.

City of Manchester New Hampshire

In the year Two Thousand and Six

A RESOLUTION

"Amending the FY 2007 Community Improvement Program, authorizing and appropriating funds in the amount of Five Thousand Five Hundred Thirty Nine Dollars (\$5,539) for the FY2007 CIP 410507 Justice Assistance Grant Program."

Resolved by the Board of Mayor and Aldermen of the City of Manchester as follows:

WHEREAS, the Board of Mayor and Aldermen has approved the 2007 CIP as contained in the 2007 CIP budget; and

WHEREAS, Table 1 contains all sources of State, Federal and Other funds to be used in the execution of projects; and

WHEREAS, the Board of Mayor and Aldermen wishes to accept grant funds from the U.S. Department of Justice Bureau of Justice Assistance to implement law enforcement functions;

NOW, THEREFORE, be it resolved that the 2007 CIP be amended as follows:

By increasing:

FY2007 CIP 410507 - Justice Assistance Grant Program - \$5,539 Federal
(from \$125,000 to \$130,539)

Resolved, that this Resolution shall take effect upon its passage.

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City of Manchester New Hampshire

In the year Two Thousand and Six

A RESOLUTION

“Amending the FY2007 Community Improvement Program, authorizing and appropriating funds in the amount of One Thousand Dollars (\$1,000) for FY2007 CIP 510407 Fun In The Sun Program.”

Resolved by the Board of Mayor and Aldermen of the City of Manchester as follows:

WHEREAS, the Board of Mayor and Aldermen has approved the 2007 CIP as contained in the 2007 CIP budget; and

WHEREAS, Table 1 contains all sources of State, Federal and Other funds to be used in the execution of projects; and

WHEREAS, the Board of Mayor and Aldermen wishes to accept funds in the amount of \$1,000 from fund raising activities for the Fun In The Sun Program;

NOW, THEREFORE, be it resolved that the 2007 CIP be amended as follows:

By adding:

FY2007 CIP 510407 – Fun In The Sun Program - \$1,000 Other

Resolved, that this Resolution shall take effect upon its passage.

City of Manchester New Hampshire

In the year Two Thousand and Six

A RESOLUTION

“Amending the FY2007 Community Improvement Program, authorizing and appropriating funds in the amount of Thirty Thousand Dollars (\$30,000.00) for the 2007 CIP 511507 Bass Island-Blacksmith Shop Environmental Site Assessment Project.”

Resolved by the Board of Mayor and Aldermen of the City of Manchester as follows:

WHEREAS, the Board of Mayor and Aldermen has approved the 2007 CIP as contained in the 2007 CIP budget; and

WHEREAS, Table 1 contains all sources of State, Federal and Other funds to be used in the execution of projects; and

WHEREAS, the Board of Mayor and Aldermen wishes to accept funds in the amount of \$30,000 from New Hampshire Department of Transportation for the purpose of conducting an environmental site assessment at Bass Island – Blacksmith Shop;

NOW, THEREFORE, be it resolved that the 2007 CIP be amended as follows:

By adding:

FY2007 CIP 511507 – Bass Island–Blacksmith Shop Environmental Site Assessment - \$30,000 NHDOT

Resolved, that this Resolution shall take effect upon its passage.

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City of Manchester New Hampshire

In the year Two Thousand and Six

A RESOLUTION

“Amending the FY2005 and FY2007 Community Improvement Programs, transferring, authorizing and appropriating funds in the amount of Forty Four Thousand Two Hundred Sixty Nine Dollars and Forty Two Cents (\$44,269.42) for the FY2007 CIP 610407 Housing Rehab/Lead Hazard Control Program.”

Resolved by the Board of Mayor and Aldermen of the City of Manchester as follows:

WHEREAS, the Board of Mayor and Aldermen has approved the 2005 and 2007 CIPs as contained in the 2005 and 2007 CIP budgets; and

WHEREAS, Table 1 contains all sources of State, Federal and Other funds to be used in the execution of projects; and

WHEREAS, Table 2 contains all sources of Community Development Block Grant, Emergency Shelter Grant and HOME funds to be used in the execution of projects; and

WHEREAS, the Board of Mayor and Aldermen desires to transfer existing HOME funds and accept payment of loan proceeds in the amount of \$16,882 to be used in the Housing Rehab/Lead Hazard Control Program; and

WHEREAS, HOME funds from 612005 Housing Rehabilitation Program in the amount of \$27,387.42 are available;

NOW, THEREFORE, be it resolved that the 2005 and 2007 CIPs be amended as follows:

By decreasing:

FY2005 CIP 612005 Housing Rehabilitation Program - \$27,387.42 HOME (from \$100,000 to \$72,612.58)

By increasing:

FY2007 CIP 610407 Housing Rehab/Lead Hazard Control Program - \$44,269.42 from \$250,000 to \$294,269.42 (\$91,882 Affordable Housing Trust Fund; 127,387.42 HOME; \$75,000 CDBG)

Resolved, that this Resolution shall take effect upon its passage.

City of Manchester New Hampshire

In the year Two Thousand and Six

A RESOLUTION

“Amending the FY 2007 Community Improvement Program, authorizing and appropriating funds in the amount of Eleven Million Eight Hundred Sixty Eight Thousand Dollars (\$11,868,000) for FY2007 CIP 712907 Granite Street Widening Project.”

Resolved by the Board of Mayor and Aldermen of the City of Manchester as follows:

WHEREAS, the Board of Mayor and Aldermen has approved the 2007 CIP as contained in the 2007 CIP budget; and

WHEREAS, Table 1 contains all sources of State, Federal and Other funds to be used in the execution of projects; and

WHEREAS, the Board of Mayor and Aldermen desires to accept Federal Department of Transportation funds to assist in the reconstruction/widening of Granite Street;

NOW, THEREFORE, be it resolved that the 2007 CIP be amended as follows:

By adding:

FY2007 CIP 712907 – Granite Street Widening Project - \$11,868,000 Federal DOT
(Local required match authorized in prior years)

Resolved, that this Resolution shall take effect upon its passage.

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City of Manchester New Hampshire

In the year Two Thousand and Six

A RESOLUTION

“Amending the FY2003 and 2007 Community Improvement Program, transferring, authorizing and appropriating funds in the amount of Forty Thousand Dollars (\$40,000.00) for the 2007 CIP 511407 Black Brook Dam Removal Engineering Project.”

Resolved by the Board of Mayor and Aldermen of the City of Manchester as follows:

WHEREAS, the Board of Mayor and Aldermen has approved the 2003 and 2007 CIP as contained in the 2003 and 2007 CIP budget; and

WHEREAS, Table 4 contains all sources of General Obligation funds to be used in the execution of projects; and

WHEREAS, the Board of Mayor and Aldermen desires to transfer existing Bond funds in the amount of \$40,000 for the removal of the Black Brook Dam; and

WHEREAS, funds from the South Willow FS Reroofing project in the amount of \$40,000.00 are available;

NOW, THEREFORE, be it resolved that the 2003 and 2007 CIP be amended as follows:

By decreasing:

FY2003 CIP 411303 – South Willow FS Reroofing & Masonry Repairs Project - \$40,000.00 Bond
(from \$291,000.00 Bond to \$251,000.00 Bond)

By adding:

FY2007 CIP 511407 – Black Brook Dam Removal Engineering Project - \$40,000.00 Bond

Resolved, that this Resolution shall take effect upon its passage.

City of Manchester New Hampshire

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In the year Two Thousand and Six

A RESOLUTION

“Authorizing the Finance Officer to effect a transfer of Forty Thousand Dollars (\$40,000) for the 2007 CIP 511407 Black Brook Dam Removal Engineering Project.”

Resolved by the Board of Mayor and Aldermen of the City of Manchester as follows:

That: Pursuant to RSA 33:33-a there is hereby authorized to be expended for purposes stated in Section 3 of the Municipal Finance Act, the sum of Forty Thousand Dollars from the balance of bonds authorized as follows:

Section 1.

From:

2003 CIP 411303, South Willow FS Reroofing & Masonry Repairs Project

Amount Transferred: \$40,000

Original Resolution Adopted: October 1, 2002

Original Amount: \$375,000

To:

2007 CIP 511407 Black Brook Dam Removal Engineering Project

Section 2. Resolved, that this Resolution shall take effect upon its passage.

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City of Manchester New Hampshire

In the year Two Thousand and Six

A RESOLUTION

“Authorizing the Finance Officer to effect a transfer of Four Thousand Seven Hundred and Seventeen dollars (\$4,717) from Contingency to Highway – Regular Salary.”

Resolved by the Board of Mayor and Aldermen of the City of Manchester as follows:

That the Finance Officer be and is hereby directed to effect a transfer from Contingency Adjustment as follows:

For extraordinary service monetary awards to Mr. Richard Robillard and Mr. James Doherty; awarded pursuant to the Bright Ideas Program.

Regular Salary	Account 5000C10110	\$ 4,717
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Resolved, that this resolution shall take effect upon its passage.